

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20493 of 2022

Arising Out of PS. Case No.-998 Year-2021 Thana- KHAGARIA District- Khagaria

Ranjo Devi Wife of Late Bitan Yadav Resident of Village - Ward No. -14
Jangali Mandal Tola, P.S. - Muffasil, District - Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 10-08-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Khagaria (Muffasil) P.S. Case No. 998 of 2021 registered for the offence under Section 20/22 of the N.D.P.S. Act.

As per prosecution story, this petitioner and co-accused persons were riding on a motorcycle and carrying two bags with them and on getting information about the said accused persons being involved in the smuggling of Narcotic material the police intercepted them and co-accused managed to flee away but the petitioner was apprehended at the spot and



from her possession one bag containing 7kg 200gram narcotic materials suspected to be Ganja was recovered and from other bag 7kg 100gram narcotic material suspected to be Ganja was recovered.

The main submissions advanced by learned counsel Mr. Anil Kumar Choudhary for the petitioner are that the petitioner is a woman and languishing in jail since 17.12.2021 and she has two children at her home who are without any care of any person at the present time and the petitioner has clean antecedent. Further submission is that the alleged recovered materials were only suspected to be Ganja but any FSL report of them has not been received by the prosecution till now.

Learned APP Mr. Rajendra Nath Jha appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR, seizure list and the case record. As per prosecution story, the petitioner and co-accused are alleged to be indulged in smuggling of Ganja and as per FIR on seeing the police party the co-accused who was driving a motorcycle managed to escape but the petitioner was caught red handed with the alleged narcotic materials and from her conscious possession a bag was recovered which contained 7kg 200gram narcotic material suspected to be Ganja



and an other bag was also recovered from the place of occurrence which was thrown by the co-accused at the time his fleeing and accordingly, a total of 14kg 300gram narcotic material suspected to be Ganja was recovered. Considering the said recovery, in the opinion of this Court it is not a fit case for grant of bail to the petitioner. Accordingly her bail prayer stands rejected.

Petitioner may renew her bail prayer after the examination of the witness of the seizure before the trial Court. If she avails the said liberty then the trial Court will decide her regular bail prayer without being prejudiced with the present order according to merit.

(Shailendra Singh, J.)

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