

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54457 of 2021

Arising Out of PS. Case No.-11 Year-2021 Thana- BUXAR District- Buxar

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SEEMA DEVI WIFE OF SHASHI KUMAR YADAV D/O OF BHOLA RAM
RESIDENT OF MOHALLA- SHANTI NAGAR (BUXAR) , P.S- BUXAR
TOWN, DIST- BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Prasad Singh

For the Opposite Party/s : Mr.Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
NDPS Case No. 15 of 2021, arising out of Buxar Town Police
Station Case No. 11 of 2021, registered for the offences
punishable under Sections 20 (b) (ii) (c)/22/25/27 (a)/29 of the
Narcotic Drugs and Psychotropic Substances Act, 1985.

The prosecution case, as per the First Information
Report, is that the police arrested Seema Devi, wife of Om
Prakash and Mamta Devi and recovered 12 gms. and 08 gms. of
Heroine respectively from their possession and the arrested
ladies disclosed the name of one Sanjay Raut and the police
raided the house of said Sanjay Raut and from his possession,



50 gms. of Heroine was recovered. It is further alleged that said Sanjay Raut disclosed the name of the petitioner that he used to purchase Heroine and other psychotropic substance from the petitioner.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of the statement of co-accused Sanjay Raut, from whose possession, 50 gms. of Heroine was recovered. He further submits that the petitioner has got no criminal antecedent of similarly nature of offence and no contraband substance has been recovered from her possession. He next submits that other accused persons, from whose possession, 12 gms. and 8 gms. of Heroine was recovered, have been granted bail by a co-ordinate Bench of this Court, vide order, dated 27.08.2021, passed in Criminal Misc. No. 23385 of 2021. He further submits that the petitioner is in custody since 29.06.2021 and charge sheet has been submitted against her and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that nothing has been recovered from the possession of the petitioner, co-accused



persons have been granted bail by this Court, charge sheet has already been submitted and the petitioner is in custody since 29.06.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge -cum- Special Judge, NDPS, Buxar, in connection with NDPS Case No. 15 of 2021, arising out of Buxar Town Police Station Case No. 11 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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