

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 50580 of 2022**

Arising Out of PS. Case No.-49 Year-2022 Thana- NATWAR District- Rohtas

GURIYA DEVI Wife of Rajendra Goswami Resident of Village - Natwar
Bazar, P.S.- Natwar, District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrish Kumar, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and Mr.
Jitendra Kumar Singh, learned APP who represents the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Natwar P.S. Case No. 49 of 2022 (NDPS) for the
offences under Sections 20 and 22 of the NDPS Act.

As per the FIR, the police office, The S.H.O.,
Natwar Police Station on secret information about illegal
selling of the ‘Ganja’ reached Saraon Market and
apprehended one Ram Bachan Singh and recovered 150 gram
of ‘ganja’ who confessed that he has purchased the same from
Rajendra Goswami and his wife, the petitioner herein, Guriya
Devi.



Accordingly, the house of Rajendra Goswami was raided and it is alleged that the lady herein was intercepted and 13.142 kg. Of 'ganja' was recovered. Accordingly, seizure list prepared and FIR instituted.

Learned counsel for the petitioner submits that even going by the allegation, the same is below the commercial quantity of 20 kg.

Taking into account the fact that the petitioner is a lady and as would avert from para-13 of the bail application, she has 60 per cent disability due to 'Polio', is in custody since 27.4.2022 and the quantity recovered/seized is below the commercial quantity, charge-sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge, Rohtas at Sasaram in connection with Natwar P.S. Case No. 49 of 2022 (NDPS), subject to the following conditions :-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash/Ajay-

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