

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62953 of 2021

Arising Out of PS. Case No.-420 Year-2020 Thana- RAXAUL District- East Champaran

RESHMA KHATOON @ LALI Wife of Md. Mumtaz Khan Resident of
Village - Badka Pareuwa, P.S.- Raxaul (O.P. Haraiya), District - East
Champaran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Pankaj

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-02-2022 Heard learned counsel for the petitioner and the State.

The matter has been taken up through video conferencing.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 18(c)/21(b) of the N.D.P.S. Act.

As per the prosecution case, 260 gram of Smack has been recovered from the possession of the petitioner.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. There is delay of three hours in lodging the FIR and seizure was made de hors the rules. No incriminating article has been recovered from the conscious possession of the petitioner



and she is no way concerned with the alleged recovery. Petitioner claims clean antecedent and is in custody since 13.11.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that more than commercial quantity of Smack has been recovered from the possession of the petitioner.

Considering the facts aforesaid and quantity of recovery, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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