

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65297 of 2021

Arising Out of PS. Case No.-219 Year-2021 Thana- SONBERSA District- Sitamarhi

SUSHILA DEVI Wife of Ramnath Mahto Resident of Village- Sonbarsa, P.S.-
Sonbarsa, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-04-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 8(c), 20(b)(ii) (C), 27(A) and 29 of the NDPS Act and sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, a total of 94.4 litres of codeine containing cough syrup was recovered from the house of the petitioner. It is further stated that one country made pistol, four magazines and six live cartridges were recovered from the possession of Sanjay Mahto.

It is submitted by learned counsel for the petitioner that the petitioner who happens to be a lady has been falsely implicated in the case because she happens to be the wife of Ram Nath Mahto, the owner of the house. The alleged recovery of incriminating articles have taken place from other accused persons to whom the portions of the house were given on rent. The petitioner has no criminal antecedent and is in custody since



7.8.2021. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner who is a lady not having any criminal antecedent and having remained in custody for 8 months, the Court directs the petitioner to be enlarged on bail in connection with Sonbarsa P.S. Case no. 219 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Sitamarhi.

It is further directed that the learned trial Court will obtain a report from the Superintendent of Police, Sitamarhi with respect to the criminal antecedent of the petitioner and in case the petitioner has any antecedent, the learned trial Court will proceed to cancel the bail bond of the petitioner.

It is made clear that for obtaining the report with respect to antecedent of the petitioner, the release of the petitioner from custody pursuant to grant of bail by the instant order shall not be delayed.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

