

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68852 of 2021**

Arising Out of PS. Case No.-439 Year-2021 Thana- BIDUPUR District- Vaishali

SHARDA DEVI W/o Naresh Paswan @ Naresh Bhagat Resident of Village -  
Daudnagar, P.S.- Bidupur, Dist.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Pushpa Sinha

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      20-05-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two  
weeks of the complete start of the physical Court in normal  
course.

The petitioner seeks regular bail in connection with  
Bidupur P.S. Case No. 439 of 2021 for the offence punishable  
under Sections 20, 21, 22 and 23 of the NDPS Act and Section  
30(a) of the Bihar Prohibition and Excise Act.

The allegation is of recovery of 92.500 litres of  
country made liquor along with 5.1 Kg of ganja from house of  
the petitioner. The son of the petitioner managed to flee away  
from the place of occurrence.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner is more than 70 years old lady and the alleged offence has been committed by her son Munshi Bhagat. The ganja which has been seized is less than the commercial quantity. Petitioner is rotting in custody since 06.09.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case and period of custody undergone by the petitioner who is a female, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of **Rs.100,000/- (Rupees one lac)** with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 439 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

**(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.**

**(Purnendu Singh, J)**

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