

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 2132 of 2023

Arising Out of PS. Case No.-1216 Year-2022 Thana- FORBESGANJ District- Araria

Sheela Devi Wife Of Sumit Saha @ Balram Sah R/O Rani, Ward No. 22, P.S.-
Rani, District- Morang (NEPAL)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 419, 420, 467 and 468 of the Indian Penal Code and Section 21(a) of the NDPS Act.

As per prosecution case, petitioner has been found having illegal possession of intoxicated drugs viz. 99 Pcs. Of 2 ml of Pheniramine Maleate Injection, 51 pcs of 2 ml. Diazepal Injection and 90 pcs. of 2 ml filled up vial has been recovered on the alleged date and time when the informant raided the Medical shop of co-accused persons were caught having found indulged in illegal possession of intoxicated narcotic drugs.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. She has falsely been implicated in this case. From persual of the FIR, petitioner is said to be standing at the counter of the shop, she was neither selling the narcotic drugs nor she is owner of the Medical Shop. Except the confessional statement nothing found against her. It is further submitted that these medicines does not come under the purview of the commercial quantity as per NDPS Act. She has got no criminal antecedent. Petitioner is languishing in judicial custody since 17.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Forbesganj P.S. Case No. 1216 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, NDPS, Act Araria.

(Sunil Kumar Panwar, J)

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