

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19569 of 2023

Arising Out of PS. Case No.-451 Year-2022 Thana- CHAKIA District- East Champaran

1. Neha Khatoon D/O Late Jalaluddin Mansuri R/O Village- Basudeopur Britt, Ward No.08, Jhulaniya Chouk, P.S.- Sahebganj, District- Muzaffarpur
2. Saira Khatoon Wife Of Late Jalaluddin Mansuri R/O Village- Basudeopur Britt, Ward No.08, Jhulaniya Chouk, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioners

Versus

1. The State of Bihar
2. The Union Of India Through NCB, Patna, Bihar

... .. Opposite Parties

Appearance :

For the Petitioners : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Parties : Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in connection with N.D.P.S. Case No. 95 of 2022 arising out of Chakia P.S. Case No. 451 of 2022 dated 28.10.2022, instituted for the offence punishable under Sections 412 and 413 of the Indian Penal Code and Sections 8, 20, 22(b) and 29 of the N.D.P.S. Act

3. The prosecution case, in short, is that accused of Chakia P.S. Case No. 213 of 2022, namely, Md. Ashique was arrested and during the course of investigation, he disclosed that both the petitioners kept the stolen articles of Chakia P.S. Case No. 213 of 2022. During the course of investigation, petitioner nos. 1 and 2 were apprehended and on search, 328 gm gold and 2 kg 200 gm silver were recovered from the possession of the



petitioners.

4. Learned counsel for the petitioners submits that the petitioner are innocent and they have been falsely implicated in this case. It is further submitted that the petitioners have no concern with the seized articles. Lastly, it has been submitted that the petitioner is in custody since 29.10.2022 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case, since their names have been disclosed by the apprehended co-accused on whose confession, looted gold and silver were recovered from the possession of the petitioners, I am not inclined to enlarge the petitioners on bail, at this stage.

7. Accordingly, the prayer of grant of bail on behalf of the petitioners is rejected.

8. Petitioners are at liberty to renew their prayer for bail if the trial is not concluded within a period of nine (09) months.

(Khatim Reza, J)

Gaurav Kumar/-

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