

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35227 of 2022

Arising Out of PS. Case No.-119 Year-2022 Thana- DARBHANGA District- Darbhanga

BABITA DEVI W/o Sanjay Mahto @ Sanjay Kumar Mahto R/o Mohalla-
Senapat, Ward No. 21, P.S.- Town, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ugranath Mallik

For the Opposite Party/s : Mr.Md. Aslam Ansari

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

7 17-04-2023 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one month.

Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Nagar (Town) P.S. Case No. 119 of 2022, registered
for the offences punishable under Sections 22 (b) of the NDPS Act.

The learned counsel for the petitioner has submitted
that the petitioner is lady. She has no criminal antecedent and she is
under custody since 16.05.2022 for the allegation that one bottle
cough syrup Dialex DC and 600 tablets of Pyeevon Spas Plus were
recovered from her house. He has further submitted that Dialex DC
contains Chlopheniramine Melate and Codeine which are cough
syrup.



On the other hand, the learned APP has opposed the prayer for bail.

Considering the clean antecedents as well as the period of detention, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Darbhanga in connection with Nagar P.S. Case No. 119 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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