

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56888 of 2022

Arising Out of PS. Case No.-426 Year-2022 Thana- SARAIYA District- Muzaffarpur

Vibha Devi, W/O Ramesh Kumar Sah, Resident of Village- Basantpurpatti,
P.S.- Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 12-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Saraiya
P.S. Case No.426 of 2022 registered for the offence punishable
under Section 20/22 of the Narcotic Drugs and Psychotropic
Substance Act.

1 Kg. *Ganja* has been recovered from the petitioner's
house. It is alleged that the police party had gone to the
petitioner's house on the tip-off that illicit liquor was being sold
from her premises.

Petitioner's counsel submits that the recovery is of
small quantity. Petitioner has no antecedents and even, as per
the allegation, recovery is not from her possession. The seizure
list is in violation of the prescribed procedure and the recovery



therefore is unreliable. She is in custody since 21.06.2022. The investigation is complete.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions and fact that the recovery is of small quantity and not from the petitioner's conscious possession, her clean antecedents and the investigation is complete, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge cum Special Judge, Muzaffarpur, in connection with Saraiya P.S. Case No.426 of 2022, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well



represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

PNM

U		T	
---	--	---	--

