

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65630 of 2022

Arising Out of PS. Case No.-536 Year-2022 Thana- BRAHMPUR District- Buxar

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BECHANI DEVI W/o Bangali Prasad Resident of village- Noniyapur, P.S.-
Krishnabrahm, District- Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyapal Singh

For the Opposite Party/s : Mr. Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-02-2023 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 20/21/22 of
the N.D.P.S.

prosecution case relates to recovery of 7.36 grams
intoxicating substance like heroine kept in 17 pudiya/sachet of
paper from the house of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. She has
falsely been implicated in this case. The petitioner has no
concern with the alleged recovery of narcotic substance like
heroine and place of occurrence is a joint house of the petitioner.
Learned counsel for the petitioner further submits that the small



quantity of heroine starts from 5 gram and the commercial quantity of heroine starts from 250 grams whereas, the recovered Heroine/narcotic substance from the petitioner was alleged to be 7.36 grams which does not come under purview of commercial quantity as per the N.D.P.S. Act. The petitioner has got no criminal antecedent. It is further submitted that she is languishing in judicial custody since 20.7.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Brahmpur (Krishnabrahm) P.S. Case No. 236 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 District Judge-Cum-Special Court N.D.P.S. Act, Buxar.

(Sunil Kumar Panwar, J)

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