

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73363 of 2022

Arising Out of PS. Case No.-25 Year-2022 Thana- BARHARA KOTHI District- Purnia

BABITA DEVI Wife of Manish Yadav @ Manish Kumar Yadav Resident of
Village- Orlaha, Ward No.-2, P.S.- Barhara Raghubansh Nagar O.P., District-
Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 31-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case
registered for the offence punishable under Sections 20(b)(ii)(c)
and 25 of the N.D.P.S. Act.

3. As per allegation in the FIR, the police party got
the information that the accused persons were involved in the
purchase of contrabands (Ganja, Smack) and liquor at their
grocery shop, acting upon which police raided the alleged shop
from where a man and a woman managed to escape but police
apprehended one woman Bindu Devi and she disclosed the
name of petitioner and other co-accused person. On search of
the alleged shop, 350 grams of Ganja and 10 grams of Smack



were recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner is a lady and she has been falsely implicated in this case. Neither she was arrested on the spot nor any incriminating article has been recovered from her conscious possession. It is further submitted that the provision of N.D.P.S. Act has not been followed properly. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. The other co-accused namely, Bindu Devi who alleged to be apprehended on the spot with contraband items, has already been granted bail by another co-ordinate Bench of this Court vide order dated 29.08.2022 passed in Cr. Misc. No. 32543 of 2022. Petitioner is languishing in judicial custody since 26.05.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand



only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, NDPS, Purnea in connection with Special Case (NDPS) No. 13/2022/CIS NDPS No. 26 of 2022 arising out of Barhara Raghubanshnagar P.S. Case No. 25 of 2022.

(Sunil Kumar Panwar, J)

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