

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68640 of 2023

Arising Out of PS. Case No.-704 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Munni Devi W/O Sanjay Singh @ Sanjay Kumar Singh Resident Of Mohlla-Bhatta Bazar, P.S. K. Hat, (Sahayak) District-Purnea Presently R/O Mohalla-Shivpuri, Ward No. 23, (Rented House Of Prakash Yadav), P.S. K.Hat (Sahayak), Disttict-Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pawan Kumar
For the Opposite Party/s	:	Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8(c), 21(a) of the N.D.P.S. Act.

3. According to the FIR, prosecution case relates to recovery of 151 gram smack like substance from the bathroom of rented flat of the petitioner.

4. 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 alleged recovery has been made from the bathroom of co-accused



Sunil Kumar and seizure list bears his signature for the said recovery. Nothing has been recovered from the house of possession of the petitioner. The petitioner has no concern with the alleged recovery of smack like narcotic substance and the same is alleged to be 151 gram which does not come under purview of commercial quantity as per N.D.P.S. Act. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. Accused Sunil Kumar Yadav has already been enlarged on bail vide order dt. 5.10.2023 passed in Cr. Misc. No. 55069 of 2023. Moreover, the petitioner is languishing in judicial custody since 5.8.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with K. Hat (Sahayak) P.S. Case No. 704 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned Special Judge,
N.D.P.S. Act, Purnea.

(Sunil Kumar Panwar, J)

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