

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81281 of 2023

Arising Out of PS. Case No.-713 Year-2023 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Bachchi Devi W/O Late Bhutta Thakur R/O Mohalla- Near Akharaghat
Bridge, Jheelnagar, P.S.- Town (Sikandarpur O.P.), Dist.- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand
For the Opposite Party/s : Mr.Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-12-2023 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(b)
of the N.D.P.S. Act.

3. According to the prosecution case, the petitioner is
said to have been apprehended from whose possession, 06 gram
smack like substance was recovered.

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 petitioner has no
concern with the alleged recovery of smack like narcotic
substance and the same is alleged to be 6 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. She has got no criminal antecedent. The petitioner is a lady and languishing in judicial custody since 6.9.2023.

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

6. Considering the facts and circumstances of the case as well as the petitioner, being a lady and her custody period, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail **after framing of charge, if not framed** in connection with Muzaffarpur Town P.S. Case No. 713 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 Sessions Judge-Cum-Special Judge, NDPS Act, Muzaffarpur.

(Sunil Kumar Panwar, J)

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