

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8439 of 2024

Arising Out of PS. Case No.-518 Year-2023 Thana- PARBATTa District- Khagaria

Nandani Devi Wife Of Ratan Paswan Resident of Village-Lagar, P.S.-Parbatta, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 9414 of 2024

Arising Out of PS. Case No.-518 Year-2023 Thana- PARBATTa District- Khagaria

Jitendra Kumar Son of Mebalal Rai Resident of Village-Jethuli, P.S.-Nadi Fatuha, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 8439 of 2024)

For the Petitioner/s : Mr.Ram Sumiran Rai, Adv.

For the Opposite Party/s : Mr.Rajendra Singh, APP

(In CRIMINAL MISCELLANEOUS No. 9414 of 2024)

For the Petitioner/s : Mr.Ram Sumiran Rai, Adv.

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioners and learned APP for the State in both the cases.

2. Perused the case diary.

3. The petitioners seek bail in connection with Parbatta P.S. Case No. 518 of 2023 arising out of Special Case (NDPS) No. 34 of 2023 instituted for the offences punishable



under Sections 20(b)(ii)(b)(25) & 29 of N.D.P.S. Act, 1985.

4. As per prosecution case, the Informant, on receipt of secret information, intercepted a tempo. There were three persons sitting in the middle seat of the tempo. On suspicion, the police searched a woman and man. They disclosed their name as Nandini Devi and Jitendra Kumar (the petitioners in both the cases). On search, two packets of Ganja (2.119 Kg) wrapped with brown colour tape were found from the waist of the frock suit along with two mobiles were recovered from the possession of Nandini Devi whereas one packet of Ganja (1.564 Kg) and an android mobile were recovered from the possession of the accused Jitendra Kumar. They also stated the name of another co-accused Juli Devi and on her disclosures, the police reached at the house of Julie Devi. On seeing the police, she tried to flee from there but, was arrested. On search, the police recovered one android mobile and 2.069 Kg. of Ganja from her house.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The petitioners have committed no offence as alleged in the F.I.R. Learned counsel further submits that nothing has been recovered from the conscious possession of



the petitioners. Petitioners have no concern with the alleged recovered contraband. Learned counsel further submits that quantity of recovered contraband comes under intermediary quantity. The petitioners have no criminal antecedent and are languishing in judicial custody since 12.11.2023. Charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence.

6. Learned A.P.P. for the State vehemently opposes the prayer for grant of bail of the petitioners.

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioners as also the petitioners having no criminal antecedents, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Parbatta P.S. Case No. 518 of 2023 arising out of Special Case (NDPS) No. 34 of 2023.

(Rudra Prakash Mishra, J)

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