

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13032 of 2024

Arising Out of PS. Case No.-120 Year-2023 Thana- KORANSARAI District- Buxar

SUSHILA DEVI W/o Bishun Dyal Dom @ Vishnu Dayal Dom R/o Vill.-
Koransarai, P.S.-Koransarai, Dist.-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr.Kamal Deo Sharma
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 29-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Koransarai P.S. Case No.120 of 2023 registered for the offence
under Sections 8(c), 21(b), 22(b) of the NDPS Act.

3. As per FIR, there is recovery of 2.28 gram of
contraband like heroine from the possession of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case. It is submitted that recovery of
alleged contraband like heroine was not made from conscious
physical possession of the petitioner. It is submitted that seizure
list appears doubtful being not supported by independent



witnesses, rather by police personnels. It is also submitted that the recovered quantity is less than small quantity. It is further submitted that petitioner is a poor lady she is in custody since 22.12.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner and as quantity of alleged recovery is less than small quantity, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Koransarai P.S. Case No.120 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge-cum-Special Judge, NDPS Act, Buxar.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that ***if the charge-sheet has not been submitted*** then the above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner have to present physically on each and every



date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

S.Katyayan/-

U		T	
---	--	---	--

