

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20187 of 2024

Arising Out of PS. Case No.-955 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

=====

Nitu Devi, Gender-Female, aged about 25 years, Wife of Sushan Manjhi,
R/O-Haziapur Ward No. 3, P.S.-Gopalganj Town, Distt.-Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Javed Aslam, Advocate
For the Opposite Party : Mr. Manoj Kumar, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 01-05-2024 This matter has been listed under the heading “For
orders (on office notes)”.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
N.D.P.S. Tr. No. 08 of 2024, arising out of Gopalganj Town P.S.
Case No. 955 of 2023 dated 01.12.2022 registered for the
offences punishable under Sections 8(c) and 21(b) of the
N.D.P.S. Act.

4. As per the prosecution case, on 01.12.2023 at 17.10
P.M., the informant apprehended the petitioner and from her
possession, 11.79 gm smack kept in 12 pouches was recovered.

5. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. It is submitted that no incriminating article was recovered from possession of the petitioner. It is further submitted that at the time of alleged occurrence, the petitioner was returning her house from the market after purchasing vegetables, in the meantime, the informant caught her on suspicion that she was fleeing away and has falsely implicated in the present case. The seized contraband is less than commercial quantity. The petitioner is a lady. There is no compliance of Section 100 of the Cr.P.C. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. She is in custody in this case since 02.12.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. VIII, Gopalganj in connection with N.D.P.S. Tr. No. 08 of 2024, arising out of Gopalganj Town P.S. Case No. 955 of 2023.

8. The Superintendent of Police, Gopalganj, is directed



to verify the criminal antecedent of the petitioner and if it is found that the petitioner has criminal antecedent, the bail bonds of the petitioner shall be cancelled.

9. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

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

