

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47126 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- JHAJHA District- Jamui

Reena Devi W/O late Naresh Paswan @ Karer Paswan @ Karu Paswan R/O
Vill.- Chhoti Chanwari, Jhajha, P.S- Jhajha, Dist.- Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanju Singh, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-07-2024 Heard learned counsel for the parties.

2. The petitioner seeks regular bail, who is in custody in connection with Jhajha P.S. Case No. 101 of 2024 registered for the offences punishable under Sections 8(B) and 20(B)(ii) of the Narcotics Drugs and Psychotropic Substances Act.

3. Allegedly, the police on a secret information that the petitioner is indulged in trade of contraband, raided her house, noticing the police party, two boys and two woman who were present in her house tried to flee away. However, petitioner was apprehended and on search 585 grams ‘ganja’, 100 grams ‘multani mitti’ like substance in a polythene, 5 grams brown sugar in four sachets, 22 tablets of caldikind , a mobile phone and some papers were recovered.

4. Learned advocate for the petitioner, referring to the FIR



contended that when the police conducted raid all the accused persons who were present there succeeded in fleeing away. However, the petitioner being a lady apprehended by the police and thereafter, the entire recovery has been shown from the possession of the petitioner. It is further contended that so far as the recovered contraband 'ganja', brown sugar and other substance are concerned, the same are below the small quantity and as such keeping the petitioner behind the bar before trial would be punitive in as much as the maximum punishment for keeping the small quantity is only for one year. It is the contention of the petitioner that the petitioner being lady is in custody since 10.03.2024 and the petitioner has clean antecedent.

5. On the other hand, learned counsel for the State opposed the bail application and submits that huge quantity of narcotics have been recovered.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the alleged recovered contraband is below the small quantity and the petitioner being a lady having clean antecedent that apart the charge sheet has already been submitted, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (ten



thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Sessions Judge, Jamui in connection with Jhajha P.S. Case No. 101 of 2024 subject to the conditions :

i) The petitioner will cooperate in conclusion of the trial.

(ii) The petitioner will remain present on each and every date of trial till disposal of the case.

(iii) They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed their criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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