

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43027 of 2024**

Arising Out of PS. Case No.-46 Year-2024 Thana- BELA District- Sitamarhi

Saraswati Devi, Wife Of Vijay Mandal, Resident Of Vill- Nigol, P.S.- Gosala
@ Gausala, District- Mahottari (Nepal) @ Mahtari Nepal.

... .. Petitioner

Versus

- 1. The State Of Bihar.
- 2. The Union Of India through the Ministry Of Home Affairs, New Delhi.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Santosh Kumar, Advocate
For the U.O.I. : Mr. Satyendra Kumar Jha, C.G.C.
For the State : Mr. Awadhesh Kumar Singh,A.P.P.

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

ORAL ORDER

3 08-07-2024 Heard learned counsel for the petitioner, learned
counsel for the Union of India and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Bela
P.S. Case No. 46 of 2024 dated 03.03.2024 registered for the
offences punishable under Sections 8/20(ii)(B) of the N.D.P.S.
Act.

3. As per the prosecution case, 05 kg., Ganja is said to
have been recovered from possession of the petitioner who was
sitting on the motorcycle.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the seized contraband has not been recovered from conscious possession of the petitioner. The petitioner was returning from her relative's house and on suspicion the police arrested the petitioner. The petitioner has no concern with the alleged seized contraband found on the motorcycle. The said motorcycle bearing Engine No. DKYCJH58318 from which the alleged contraband is recovered does not belong to the petitioner. The seized contraband is below the commercial quantity. The petitioner is a lady. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. She is in custody in this case since 04.03.2024.

5. Learned A.P.P. for the State and learned counsel for the Union of India have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, 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 Sessions Judge-cum-Special Judge, N.D.P.S. Act, Sitamarhi in connection with Bela P.S. Case No.



46 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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