

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53314 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- BUXAR RAIL P.S. District- Bhojpur

Sunita Chauhan Wife of Sanjay Mandal Resident of village - Bologora, P.S.-
Khari Puntiya, District - Darang, State- Assam.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Singh, Adv. Mr. Prabhat Kumar Singh
For the Opposite Party/s	:	Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-08-2024

1. Heard the parties.

2. Petitioner seeks regular bail in connection with N.D.P.S. Case No. 22 of 2024, arising out of Ara Rail P.S. Case No. 40 of 2024, dated 09.04.2024 registered for the offence(s) punishable under Section(s) 8, 20(b) and 8(c) of the N.D.P.S. Act.

3. Mr. Surendra Kumar Singh, learned counsel for the petitioner submits that the instant matter relates to the recovery of 10 Kgs. of narcotic substance suspected to be *Ganja* and the same is alleged to have been recovered from the possession of this petitioner and one co-accused who were travelling in a train during search but in fact, the seized contraband was recovered from the bogey of the train and not from the conscious



possession of the petitioner and she was made scapegoat by the police. Learned counsel further submits that petitioner has been languishing in jail since 09.04.2024 having fair and clean antecedent and the mandatory provisions of search, seizure and sampling mentioned in Section 52A of the N.D.P.S. Act and other relevant sections were not followed by the police. Further submission is that investigation against the petitioner has been completed and the seized contraband falls under the category of intermediate quantity.

4. Mr. Binod Kumar No.3, learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly taking into account the petitioner’s fair and clean antecedent and completion of investigation against her as well as the quantity of alleged contraband, this court is inclined to release her on bail. Accordingly, let the petitioner named-above be released on bail in connection with NDPS Case No. 22 of 2024, arising out of Ara Rail P.S. Case No. 40 of 2024, on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

BKS/-

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(Shailendra Singh, J)

