

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68522 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- PURAINI District- Madhepura

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KUSMA DEVI @ RITA DEVI @ KUSO DEVI Wife of Sunil Mandal @
Sonelal Mandal Resident of Village - Bhatauni, Puraini Bazar, P.S.- Puraini,
District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shama Sinha, Adv.
Ms. Asmita, Adv.
Ms. Shreya, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

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

ORAL ORDER

3 18-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection
with Puraini P.S. Case No. 33 of 2023, dated 13.02.2023, registered
for the offences punishable under sections 8/20(b)(ii)(c) of the
N.D.P.S. Act.

3. As per the prosecution case, total 194.350 Kg. of ganja
was recovered from the ambulance.

4. Learned counsel for the petitioners has submitted that
the petitioner has falsely been implicated in this case. The petitioner
has no criminal antecedent as stated in para 3 of the bail petition. It is
further stated that there is no allegation of keeping/selling of ganja as
alleged against the petitioner. The name of the petitioner has



transpired on the basis of confessional statement of the apprehended co-accused persons. The petitioner was not caught on the spot. The petitioner is a lady. The said vehicle does not belong to the petitioner. Similarly situated co-accused have already been granted bail by this court vide order dated 07.03.2024 passed in Cr. Misc. No. 52601 of 2023 No incriminating article has been recovered from the conscious possession of the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the seized contraband is of commercial quantity.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioner, let the above named petitioner, in the event of her arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhepura in connection with Puraini P.S. Case No. 33 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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