

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77752 of 2024

Arising Out of PS. Case No.-97 Year-2024 Thana- BANGAWON District- Saharsa

Farida Khatoon Wife of Md. Sahmad @ Md. Sahmat RESIDENT OF
VILLAGE- BARIYAH BASTI WARD NO 7, P.S.- BANGAON, DIST.-
SAHARSA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-10-2024 Heard the parties.

2. The petitioner is in custody in connection with
Bangaon P.S. Case No. 97 of 2024 for the offence punishable
under sections 8, 20(b)(ii)A, 20(b)(ii)B of NDPS Act lodged on
30.07.2024 by the informant, Roushan Kumar.

3. As per the prosecution story, the police upon
information apprehended one Anish Kumar and behind his
house in bushes, there is recovery/seizure of 318 gram ‘ganja’.
Further, upon his information, the house of the petitioner was
raided. Though her husband managed to escape, she was
apprehended and there is recovery/seizure of 3 kg 40 gram
ganja.

4. Learned counsel for the petitioner submits that she



being the lady, had no knowledge of anything present in the house and/or the recovery, which in any case is below the commercial quantity.

5. Learned APP opposes the prayer for bail.

6. Though allegation is there, the petitioner is a lady having no criminal antecedent, has already remained in custody since 31.07.2024 (para 13 of the petition), this Court is inclined to extend her the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sessions Judge cum Special Judge, Saharsa in connection with Bangaon P.S. Case No. 97 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of her bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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