

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76211 of 2023

Arising Out of PS. Case No.-187 Year-2023 Thana- KATIHAR (R.T) District- Katihar

1. Rawani Devi @ Rani Devi @ Rawni Devi W/O Pramod Choudhary @ Prahalad Choudhary Mohalla- Kursela, Ps. Kursela, Dist. Katihar
2. Roshni Devi @ Reshmi Devi @ Roshan Devi W/O Santosh Choudhary Mohalla- Kursela, Ps. Kursela, Dist. Katihar

... .. Petitioner/s

Versus

1. The Union Of India, Through The Director N.D.P.S., Govt. Of India, New Delhi
2. The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Dr. Krishna Nandan Singh (Asg)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 8/20(b)(ii)(c) of N.D.P.S. Act.

As per the allegation in F.I.R, 2.5 kg of Ganza like narcotics substance and 4.5 kg of Ganza like narcotics substance have been recovered from the possession of the petitioner No. 1, namely, Ravani Devi and petitioner No. 2, namely, Roshni Devi respectively.



It is submitted by learned counsel for the petitioner that the petitioners are innocent and they have falsely been implicated in the present case. The petitioners have no concern with the alleged recovered contraband. The alleged recovered Ganza like narcotics substance is lesser than commercial quantity as per N.D.P.S. Act. There is no independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 04.07.2023. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. Similarly situated co-accused, namely, Sita Devi has been granted bail vide order dated 29.11.2023, passed in Cr. Misc. No. 74431 of 2023 by the co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, petitioners being ladies as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail,



after framing of charge, if not framed, in connection with Rail Katihar P.S. Case No. 187 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, N.D.P.S. Act, Katihar.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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