

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13086 of 2025

Arising Out of PS. Case No.-73 Year-2024 Thana- Sikandarpur District- Muzaffarpur

Megha @ Kahkasha Khatoon Wife of Salim Warsi R/O Mohalla - Pakki Sarai, Faridi Gali, P.S.- Town, District - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anish Kumar, Advocate.

For the State : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 03-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending her arrest, in connection with Sikandarpur P.S. Case No. 73 of 2024 dated 17.07.2024 registered for the offences punishable under Sections 8(c) and 21(b)(c) of N.D.P.S. Act.

3. As per allegation, co-accused Salma Khatoon was apprehended with 391 gm Smack. As per further allegation, Smack was going to be delivered to the accused/petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that there is no legal basis of any allegation against the petitioner. Except the so-called confessional statement of co-accused, there is no other material



against the petitioner. The case is merely based on suspicion. He also submits that similarly situated co-accused Sanjay Kumar @ Sanjay and Punam Devi have been enlarged on anticipatory bail and regular bail by this Court vide order dated 11.12.2024 and 07.02.2025 passed in Cr. Misc. 84511 of 2024 and 87225 of 2024 respectively.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has been made accused in two other cases.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of her arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Court No.-II (N.D.P.S. Act),



Muzaffarpur, in connection with Sikandarpur P.S. Case No. 73 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing her and getting satisfied that the petitioner has concealed her criminal antecedents despite her knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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