

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35701 of 2025

Arising Out of PS. Case No.-509 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Kunti Devi @ Kanti devi W/o- Jeevach Rishi R/o- Murgi Farm Lanka Toli
PS- K hat Distt- Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh, Adv.

For the Opposite Party/s : Ms.Madhuri Lata, APP

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

ORAL ORDER

2 17-06-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Special (NDPS) Case No. 133of 2023/CIS No. 133/2023 arising out of K.Hat (Madhubani) P.S. Case No. 509 of 2023 dated 22.04.2023 registered for the offences punishable u/ss 413 and 414 of the Indian Penal Code and Sections 8(c) and 21(a) of the N.D.P.S. Act.

3. As per the prosecution case, total 1.8 gram heroin (smack) was recovered from the possession of the petitioner. It is further alleged that number of mobile phones of different company, number of ATM cards of different banks and Rs.



18,300/- in cash were recovered from the possession of the co-accused, Vikash Kumar Paswan.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has further submitted that it is a case of first misuse of privilege of bail. It is further submitted that the petitioner was arrested on 23.04.2023 and she was granted bail on 20.05.2023 by learned Special Judge, N.D.P.S. Act, Purnea and released on bail on 23.05.2023. Thereafter, the charge-sheet has been submitted on 23.12.2023 u/ss 413 and 414 I.P.C. and Sections 8(c), 21(a) of the N.D.P.S. Act. The case was fixed for appearance on 04.06.2024. However, the petitioner could not appear on such date i.e. 04.06.2024 and further the date was fixed for appearance on 09.07.2024 and 13.09.2024 and thereafter, the bail bond of the petitioner was cancelled on 18.10.2024 and directed to issue N.B.W. It is further submitted that the petitioner was not aware with regard to appearance in the case. The petitioner has been remanded in this case on 04.04.2025 from Madhubani P.S. Case No. 164 of 2024 and since then she is in custody. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has one criminal antecedent in which she is on bail as stated in para



3 of the bail petition. The petitioner is a lady and she is in custody since 04.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Purnea in connection with Special (NDPS) Case No. 133 of 2023/ CIS No. 133/2023 arising out of K. Hat (Madhubani) P.S. Case No. 509 of 2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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