

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84717 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- SONBERSA District- Sitamarhi

1. Anish Khatoon, aged about 40 years, Gender-Female, Wife of Shahidul Ansari.
2. Majara Khatoon, aged about 47 years, Wife of Majibul Ansari, Resident of Village - Pipra, Parsai, Tole Ram Nagar, Ward No.-7, P.S.- Sonbarsa, District - Sitamarhi.

... .. Petitioner/s

Versus

The Union of India through the Director, N.C.B., Patna. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Virendra Kumar, Advocate
For the State	:	Mr. Abhay Kumar Roy, APP
For the UOI	:	Mr. Rakesh Kumar Sinha, CGC

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 07-02-2025 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the Union of India.

2. The petitioners seek bail in connection with Sonbarsa P.S. Case No. 10 of 2024 instituted for the offences punishable under Sections 8/20 (b) (ii) B of the N.D.P.S. Act.

3. Earlier the prayer for bail of these petitioners were rejected by this Court vide order dated 08.04.2024 passed in Cr. Misc. No. 25100 of 2024 with an observation that the trial Court is directed to conclude the trial within six months and if the trial is not concluded within the stipulated period the petitioners may renew their prayer for bail before the trial Court.



4. As per the allegation in the FIR, total 10 kg *ganja* has been recovered from the conscious possession of the petitioners.

5. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence and have falsely been implicated in this case only on the basis of suspicion. He further submits that no any incriminating articles have been recovered from the conscious possession of the petitioners and the seized articles have been recovered from the bags loaded in the auto which is passenger vehicle. He submits that charges has been framed and no any prosecution witnesses have been examined in this case till date. He lastly submits that this is the second prayer for bail of the petitioners and petitioners have got clean antecedent as stated in para 3 of the petition. Petitioners are in custody since 08.01.2024.

6. Learned APP for the State and learned counsel for the Union of India opposed the prayer for bail and submits that there is recovery of 10 kg *Ganja* from possession of the petitioners.

7. From perusal of the FIR and impugned order of the learned Special Judge, Sitamarhi dated 17.10.2024, it appears that till date there is no specific progress in trial of these



petitioners because there is no Special PP for NDPS Act. and Additional PP has been made Incharge of Spl. PP NDPS Act, who is not taking ample effort for disposal of cases after several directions, so considering all these aspects of the case and submissions of learned counsel for the parties that the petitioners are lady, let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Sitamarhi in connection with Sonbarsa P.S. Case No. 10 of 2024.

(Ramesh Chand Malviya, J)

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