

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1377 of 2025

Arising Out of PS. Case No.-9 Year-2024 Thana- GHURNA District- Araria

Laxmi Bharti W/o Sikander Mandal R/o Village- Fulwariya, P.O- Bisanpur,
P.S- Dhamdaha, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 23-04-2025 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends her arrest in connection with
Ghurna P.S. Case No. 09 of 2024 registered for the offences
punishable under Sections 8, 20(b) (ii) (c) of the Narcotics
Drugs & Psychotropic Substance Act.

3. The allegation in the FIR is that 2 sacks weighing
45 Kg of ganja was recovered from a car bearing registration
number BR11BE 1190 and persons on the vehicle being
Shikandar Mandal and three other persons were taken into
custody. It further appears that upon test the seized article has
been found to be Marijuana positive.

4. Learned counsel for the petitioner submits that the
petitioner, who is a lady was not named in the FIR as an



accused. She has no concern with the said ganja and her name transpired due to the fact that the vehicle stands in her name. It is submitted that the husband of the petitioner Sikhandar Mandal was arrested from the place of occurrence. However, she being a *pardanashin* lady has no idea as to for what purpose, the vehicle was being used. By an earlier order dated 18.01.2025, a report had been called for from the Superintendent of Police, Araria as to why no charge sheet has been submitted within the stipulated time.

5. A counter affidavit has been filed on behalf of the S.P, Araria wherein it has been stated that the case was not properly handled by the Investigating Officer and hence, he has also been subjected to departmental proceeding. It has also been stated in the said affidavit that now charge sheet has been submitted against three named accused persons of the case, while further investigation was going on with regard to the present petitioner.

5. The learned APP for the State opposes the bail application on the ground that a commercial quantity of recovery of Ganja has been made from the vehicle.

6. Taking into consideration the fact that recovery of Ganja has been made from a vehicle which was being used by the husband of the present petitioner, who was also apprehended



on the spot along with others and the petitioner being a female had no knowledge of the same and also bears no criminal antecedent, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of her arrest/ surrender within a period of four weeks from today the petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge NDPS, Araria in Ghurna P.S. Case No. 09 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioner shall co-operate in investigation/ trial. However, a further condition is imposed on the petitioner that she will co-operate in the process of investigation by making herself present at the police station every 15 days till the investigation is completed against her.

(Soni Shrivastava, J)

N.K/-

U		T	
---	--	---	--

