

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87225 of 2024

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

Punam Devi, Wife of Rakesh Kumar @ Mantu, R/O-Chaturbhuj Asthan
Chowk, Near Durga Mandir, Ps- Mithanpura, District -Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Chandra Shekhar Anand, Advocate.

For the State : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 07-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
N.D.P.S. Case No. 151 of 2024 arising out of 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 has been enlarged on anticipatory bail by this Court vide order dated 11.12.2024 passed in Cr. Misc. 84511 of 2024.

5. He further submits that the petitioner has been languishing in jail since 29.08.2024

6. 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.

7. It has further been stated in paragraph no.3 of the bail petition that the petitioner has two criminal antecedents.

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

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on her 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 Special Judge, Exclusive Special Court-II (N.D.P.S.), Muzaffarpur, in connection with N.D.P.S. Case No. 151 of 2024 arising out of Sikandarpur P.S. Case No. 73 of 2024 on the following



conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of her absence or non-cooperation. She must be available to the police or the court whenever her presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has 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.

(v) 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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