

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83779 of 2025

Arising Out of PS. Case No.-471 Year-2025 Thana- JAHANABAD District- Jehanabad

Rita Devi, Wife of Late Moti Chaudhari @ Ashok Chaudhary, Resident of
Village - Panch Mohallah, P.S. - Jehanabad, Dist. - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj, Advocate
Ms. Kumari Anjani Sinha, Advocate
For the Opposite Party/s : Mr. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 05-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner, who is in custody, seeks bail in connection with Jehanabad P.S. Case No. 471 of 2025 registered for the offences punishable under Sections 8(c), 21(b) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. As per the prosecution case, the informant has stated that during the course of patrolling, he got information that co-accused Upendra Chaudhary @ Fatta is selling smack from his house. A raid was conducted and upon seeing the police, he fled away, but one woman was apprehended, who



disclosed her name as Priya Devi and thereafter the police personnel searched the house of Upendra Chaudhary @ Fatta and total 57.53 grams of smack was recovered from his house. It is further alleged that the apprehended person disclosed the names of other co-accused persons, who were involved in the supply of smack, including the petitioner.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely because she has one criminal case in her name. It has next been submitted that the name of the petitioner has been taken by the apprehended co-accused, wherein she has stated that the petitioner was also involved in the selling of smack. It has next been submitted that the petitioner was not apprehended with any incriminating article and the apprehended accused person, namely, Priya Devi has been enlarged on bail by a learned Co-ordinate Bench of this Hon'ble Court in Cr. Misc. Case No. 53421 of 2025 vide order dated 11.08.2025. The petitioner is languishing in jail since 31.10.2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties, let the petitioner, above named, be released on bail on



furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection Jehanabad P.S. Case No. 471 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be her close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of her bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.



7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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