

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 40003 of 2016**

Arising Out of PS.Case No. -34 Year- 2016 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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Sanjeev Kumar @ Mantu S/o Ramji Prasad Singh R/o Subhai Garh, P.S.  
Sadar Hajipur District Vaishali.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dhirendra Kumar Sinha

For the Opposite Party/s : Mr. Shyam Bihari Singh

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

3. 16-12-2016 Heard Sri Dhirendra Kumar Sinha, learned counsel for  
the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who is in custody in Vaishali  
(Belsar O.P.) P.S. Case No. 34 of 2016 registered for offence  
under Sections 17, 22 and 23 of the Narcotic Drugs &  
Psychotropic Substances Act, 1985, has prayed for grant of bail.

It was submitted by learned counsel for the petitioner  
that recovery of about 22 Kg. of Ganja was shown from a  
motorcycle, which was being driven by the petitioner. Nothing  
was indicated as to whether petitioner was carrying the Ganja or  
the pillion rider was carrying the Ganja on motorcycle. It has  
further been argued that till date, F.S.L. report has not been  
produced. On aforesaid ground, a prayer has been made to grant



bail.

However, fact remains that from the motorcycle, which was being driven by the petitioner, a bag containing about 22 Kg. of Ganja was recovered. So far as F.S.L. report is concerned, that can be examined during the trial. At least, the Ganja can be identified by naked eye. In such cases, only on the ground that F.S.L. report has not been received till date, the prayer for bail may not be accepted.

The petition stands dismissed.

**(Rakesh Kumar, J.)**

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