

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21242 of 2018

Arising Out of PS. Case No.-1 Year-2017 Thana- RAMGARHWA District- East Champaran

Madan Rajbhar @ Ajay, Son of Shyamlal Rajbhar, R/o Village-Maniar,
Devapur, P.S. Chunu-Pakad, Distt.-Ballia (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Aslam Ansari

For the Opposite Party/s : Mr. Sri Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 28-06-2018 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Ramgarhwa P.S. Case No. 01 of 2017, registered for the
offence punishable under Sections 8, 20 (b) (ii) B of N.D.P.S.
Act.

The allegation is regarding recovery of 2.800 kg. of
a substance like charas.

The learned counsel for the petitioner submits that
the seized substance is like charas, hence the prosecution
itself is not sure as to whether the said seized substance is
charas or not. It is further submitted that the petitioner has
been falsely implicated in the present case and he is having a
clean antecedent. The petitioner is stated to be in custody
since 03.01.2017.



I have heard the learned counsel for the petitioner and perused the materials on record as also the case diary.

From the case diary, it is apparent that the aforesaid seized substance was sent to the laboratory in the month of August, 2017, however, it is not clear whether it has been sent to Calcutta or Muzaffarpur. Nonetheless, the fact is that despite lapse of about one year, no report has been received from the F.S.L., hence, the petitioner herein cannot be detained any longer for the fault on the part of the prosecution.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge, East Champaran, Motihari in connection with Ramgarhwa P.S. Case No. 01 of 2017.

(Mohit Kumar Shah, J)

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