

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69342 of 2019**

Arising Out of PS. Case No.-190 Year-2019 Thana- CHENARI District- Rohtas

MANOJ KUMAR JAISWAL Son of Prayag Sao Resident of Chenari, P.S.-
Chenari, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Adv.

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 27-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
04.08.2019 in a case registered for the offences punishable
under Sections 20, 21 and 22 of the NDPS Act.

It is alleged that from the tobacco shop of the
petitioner, 3.840 grams of ganja were recovered.

It is submitted by learned counsel for the petitioner
that the petitioner is not the sole owner of the tobacco shop in
question. Moreover, without obtaining the FSL report final
form has been submitted. Hence, there is no ascertainment of
seized material as ganja. A statement has been made in
paragraph no.3 of the petition that the petitioner is not having
any criminal antecedent.



Learned APP for the State submits that the said recovery has been made from the tobacco shop of the petitioner.

Considering the fact that the said recovery is between the small and commercial quantity, investigation already being concluded, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 learned Sessions Judge, Rohtas at Sasaram in connection with NDPS Case No. 11 of 2019, arising out of Chenari P.S. Case No. 190 of 2019.

(Dinesh Kumar Singh, J)

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