

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25984 of 2021

Arising Out of PS. Case No.-188 Year-2020 Thana- CHAUSA District- Madhepura

Dhaneshwar Singh Son Of Budho Singh Resident Of Village- Laualagan,
P.S.- Chausa, District- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Yadav

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 20-12-2021 The applicant/accused in Crime No. 188 of 2020 registered with Chausa Police Station for the offences punishable under sections 20/22/23/24 of the N.D.P.S. Act as well as under section 25(1-B)A, 26 of the Arms Act, by this application is seeking his release on bail during pendency of the trial.

The learned counsel for the applicant vehemently argued that without availability of the report from the Forensic Science Laboratory, the applicant cannot even be prosecuted for the offence under the N.D.P.S. Act. It is further argued that entire prosecution case is suspect and therefore, the applicant is entitled to be released on bail.

The learned APP opposed the application.

According to the prosecution case, upon receipt of the



information regarding possession of the contraband as well as the fire-arms, the police team raided house of the applicant and found an amount of Rs. 1 lakh, one country made pistol as well as 47 kilograms of Ganja. That is how, the FIR came to be registered against the applicant.

Considering the nature of crime as well as the circumstances in which it was found to be committed, no case for grant of bail is made out. The application is accordingly, rejected.

Needless to mention that the applicant shall be at liberty to prefer a fresh bail application after submission of report of the FSL.

(A. M. Badar, J)

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