

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40913 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- PANAPUR District- Saran

Jitendra Singh @ Jitendra Kumar Singh, S/o Kishor Singh @ Late Kishori Singh, R/o Village-Fakuli, P.S.- Panapur, Dist- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 18-09-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Panapur P.S. Case No.132 of 2024 registered for the offence punishable under Sections 20(b)(ii)(C), 22, 27A, 29 of the Narcotic Drugs and Psychotropic Substances Act (for short 'N.D.P.S. Act') and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The accused/petitioner is named in the FIR and is in custody since 26.04.2024.

4. Allegation against the petitioner is to have in possession of three liters of illicit liquor and also 428 gms. of cocaine/contraband.



5. It is submitted by learned counsel appearing for the petitioner that the seized material, which was suspected as cocaine, upon forensic examination, was not detected any Narcotic and Psychotropic Substance and, therefore, this is not a case covered under N.D.P.S. Act. While concluding argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP while opposing the prayer for grant of bail to the petitioner fairly conceded that F.S.L. Report bearing R.F.S.L. No.552 of 2024 dated 29.06.2024 as issued from the office of the Director, Regional Forensic Science Laboratory, Muzaffarpur, Government of Bihar clearly suggest that the sample of white powdery substance was not detected any Narcotic or Psychotropic Substance.

7. Considering the aforesaid, as the seized material not found with psychotropic substance upon forensic examination, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since



26.04.2024, accordingly, the petitioner, above-named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-X Excise Judge-cum-2nd Exclusive Special Judge, Excise, Saran at Chapra in connection with Panapur P.S. Case No.132 of 2024 subject to the conditions as laid down under Section 437(3) of the CrPC/under Section 480(3) of the BNSS.

(Chandra Shekhar Jha, J.)

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