

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77184 of 2023

Arising Out of PS. Case No.-209 Year-2023 Thana- CHHAURADANO District- East
Champaran

=====

Vinod Kumar S/O Madan Mohan Prasad Village- Ekdari, Ward No. 2, Ps.
Chhauradano, Dist. East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms. Alka Singh

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

3 24-01-2024 Heard the learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in a case
registered for the offence under Sections 8/21(b) and 25 of the
N.D.P.S. Act.

3. As per the prosecution case, 350 grams of
Morphine has been recovered.

4. Learned counsel for the petitioner submits that
the petitioner is in custody since 01.07.2023. He further submits
that incomplete chargesheet has been submitted without F.S.L.
Report and, therefore, the petitioner is entitled to default bail.
He has relied upon a judgment/order of this Court in the case of
Rampravesh Diswa V/s The State of Bihar (Cr. Misc. No.
65898 of 2023)

5. Learned A.P.P. has vehemently opposed the



prayer for bail.

6. In view of the law laid down by this Court in the case of ***Rampravesh Diswa (Supra)***, I am of the view that the petitioner is entitled to default bail in view of admitted fact that F.S.L. Report has still not been filed in the Court below as per the report.

7. Considering the aforesaid, This application for regular bail is allowed.

8. Let the petitioner, above named, 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 the learned Sessions Judge-cum-Special Judge, East Champaran, Motihari/concerned Court below in connection with Chhauradano P.S. Case No. 209 of 2023 subject to the condition that:-

8(1). The petitioner will mark his attendance at the *Chhauradano* Police Station on the first and third Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.

(Sandeep Kumar, J)

Shishir/-

U		T	
---	--	---	--

