

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1682 of 2024

Arising Out of PS. Case No.-458 Year-2023 Thana- MANER District- Patna

Shankar Kumar Chaurasiya @ Shankar Chaurasiya Son of Bharat Chaurasiya
Resident Maner Bazar, P.S- Maner, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. D. K. Sinha, Sr. Advocate
		Mr. Kumar Goutam, Advocate
For the State	:	Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Special
(NDPS) Case No. 163 of 2023 arising out of Maner P.S. Case
No. 458 of 2023 registered for the offence punishable under
Sections 8(C), 20(B) and 21(C) of the NDPS Act.

3. The recovery is of 124 gm. of smack which is an
intermittent quantity. The petitioner is in custody since
19.06.2023.

4. In para 21 of the bail petition, the petitioner has
stated that the seized articles have not been sent for FSL report.
He relies upon an order of this Court in the case of Rampravesh
Diswa vs. The State of Bihar passed in Cr. Misc. No. 65898 of



2023 and submits that in the present case, incomplete charge sheet was filed without the FSL report and in light of the aforesaid order, he may be granted bail.

5. In view of the law laid down by this Court in the case of Rampravesh Diswa (supra), this Court accepts the submissions of learned counsel for the petitioner. The petitioner is directed to be released on bail as he is entitled to default bail because of filing of incomplete charge sheet in a case registered under various provisions of the NDPS Act.

6. Considering the aforesaid, this application is allowed.

7. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-XVIII, Patna in connection with Special (NDPS) Case No. 163 of 2023 arising out of Maner P.S. Case No. 458 of 2023.

8. Before releasing the petitioner on bail, the Special Judge will verify the contention of the petitioner that the seized articles were not sent for FSL report/no FSL report has been submitted along with the charge sheet.

9. The petitioner will also mark attendance in Maner



Police Station, Patna on the first and third Sunday of each month. Any default in appearance at the Police Station would be result in cancellation of bail bonds of the petitioner.

(Sandeep Kumar, J)

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