

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30507 of 2025

Arising Out of PS. Case No.-136 Year-2024 Thana- INARWA District- West Champaran

Munshi Singh @ Bhanshi Singh S/o- Late Ramashrey Singh Resident of
Village- Radhiya Rai, Tola, P.S.- Govindganj, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujeet Kumar, Adv
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 30-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Inarawa

P.S. Case No. 136 of 2024 registered for the offences under

Sections 8, 20(B)(II)B and 23 (b) of the NDPS Act.

3. The petitioner is named in the F.I.R. and is in custody

since 25.10.2024.

4. The allegation against the petitioner is to have in

possession of 4.4 kilograms of contraband i.e., *ganja* which was

found carried by petitioner in a carry bag.

5. Learned counsel appearing on behalf of the petitioner

submitted that in the present case charge-sheet was submitted by

investigating agency without obtaining FSL report and, therefore,



the petitioner is entitled for default bail. It is further submitted that as issue is pending before Hon'ble Supreme court for larger consideration in the matter of **Divyas Bardewa Vs. Narcotics Control Bureau** through **SLA (Crl.) No. 11628 of 2022** and considering aforesaid, different learned Co-ordinate Benches of this Court are granting bail to co-accused persons, where charge-sheet was submitted without FSL report. It is further submitted that by taking note of recovered quantity of contraband, rigors of Section 37 of the NDPS cannot be imported being non-commercial quantity. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

6. Learned APP appearing on behalf of the State, while opposes the prayer for bail.

7. In view of aforesaid factual submission and by taking note of fact as incomplete charge-sheet was submitted without FSL report and recovered quantity of contraband is less than commercial quantity, coupled with the fact as petitioner is a man of clean antecedent, who remains in custody since 25.12.2024, accordingly above named petitioner, is directed to be released on bail in connection with Inarawa P.S. Case No. 136 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



District and Sessions Judge, Bettiah, West Champaran/concerned
court, subject to the conditions as mentioned under Section
480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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