

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20530 of 2026

Arising Out of PS. Case No.-84 Year-2025 Thana- Mufassil District- Purnia

Vishal Uraon @ Vishal Wraon, S/O Late Munna Uraon, Resident of village-
Rambag, Driver Tola, P.S.- Sadar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
		Mr. Bidhu Ranjan, Advocate
		Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s :		Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 31-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Mufassil P.S. Case No. 84 of 2025 registered for the offence
punishable under Sections 8(c), 21(c), 25 and 29 of the N.D.P.S.
Act.

3. The case of the prosecution, in short, is that from the
bag of this petitioner, altogether 517.54 grams of brown
sugar/smack like contraband was recovered.

4. Learned counsel appearing on behalf of the petitioner
has submitted that earlier the bail petition of this petitioner was
rejected by learned Co-ordinate Bench of this Court vide order
dated 09.07.2025. It has further been submitted that the seizure list
witnesses are police personnel. Police has not complied Section



105 of B.N.S.S while making the seizure. It has further been submitted that in this case, police has filed charge-sheet without without the F.S.L. report and even the learned trial Court has taken cognizance without the F.S.L. report. Learned counsel for the petitioner has filed the certified copy of the charge-sheet which goes to show that on the date of filing of the charge-sheet, the F.S.L. report was not received. Petitioner is languishing in judicial custody since 03.04.2025.

5. Learned counsel for the petitioner has relied on an order passed by this Court in Cr. Misc. No. 57651 of 2025 and in that order, this Court has relied on an order of learned Co-ordinate Bench of this Court passed in **Cr. Misc. No. 65898 of 2023**, wherein the Co-ordinate Bench has opined that from reading of Section 36(a) sub-clause 4 of the NDPS Act, it appears that in the case of offence punishable under Section 19 or Section 24 or Section 27(a) or for offences involving commercial quantity, the charge-sheet can be submitted within 180 days and if the charge-sheet is not submitted within 180 days, the accused person is entitled for default bail. The proviso to Section 37(a) speaks that public prosecutor may take an extension of time for filing the charge-sheet and 180 days time can be extended for a period up to one year. After the public prosecutor files that progress report of the investigation and gives specific reasons for detention of the



accused beyond the said period of 180 days. In the present case, the Special Public Prosecutor has not filed any application for extension of period of the charge-sheet and the charge-sheet as per the contention of the petitioners have been filed without FSL report.

6. Learned APP for the State has vehemently opposed the application for bail and has submitted that petitioner is having criminal antecedent of two cases.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, NDPS Act, Purnea in connection with Muffasil P.S. Case No. 84 of 2025.

(Ashok Kumar Pandey, J)

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