

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85308 of 2025

Arising Out of PS. Case No.-317 Year-2025 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Vishal Kumar @ Govind Kumar S/O Vikash Prabhakar @ Bikash Prabhakar @ Lalo R/O Village - Tilak Tol, Hemra, Ward No.- 41, P.S- Muffasil, District- Begusarai.
 2. Prince Kumar S/O Vikash Prabhakar @ Bikash Prabhakar @ Lalo R/O Village - Tilak Tol, Hemra, Ward No.- 41, P.S- Muffasil, District- Begusarai.
- Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saket Kumar
For the State	:	Dr. Ajeet Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 20-02-2026 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with N.D.P.S. Case No. 71 of 2025 arising out of Begusarai Muffasil P.S. Case No. 317 of 2025 in a case registered for the offence punishable under Sections 8(C) and 21(b) of the N.D.P.S. Act.

3. As per allegation, on 07.10.2025, police raided a residence in Tilak Tol Hemra. The petitioners were apprehended while attempting to flee, leading to recovery of 117 grams of smack from the premises.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in the present case. He has further submitted that petitioner no. 2 was granted provisional bail and after appearing in examination, he has



surrendered. It has further been submitted without FSL report of the seized article, the charge sheet has been submitted against the petitioners which is an incomplete charge-sheet, without conclusion of the investigation. He further drew my attention towards a judgment of a Co-ordinate Bench of this Hon'ble Court in case of ***Rampravesh Diswa vs. State of Bihar*** reported in ***BLJ 2024(1) 776***. The co-ordinate Bench of this Court relying upon the decision of ***Ram Babu Yadav vs. State of Bihar*** reported in ***PLJR 2022 (2) 462*** and the decision of Hon'ble the Supreme Court in the case of ***Uday Mohanlal Acharya vs. State of Maharashtra*** reported in ***2001 (5) SCC 453*** has held that charge sheet without FSL report is on the ground of incomplete investigation and the petitioner of that case was granted default bail on this ground only. The petitioners are persons of clean antecedents and are in custody since 08.10.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances **as also the fact that without being any FSL report, the charge-sheet has been submitted against the petitioners**, let the petitioners named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Principal Sessions Judge, Begusarai in connection with N.D.P.S. Case No. 71 of 2025 arising out of Begusarai Muffasil P.S. Case No. 317 of 2025 with condition



that the petitioners shall cooperate with the trial of the case and make themselves available as and when required by the court.

7. One of the bailors must be close relatives of the petitioners such as mother, father, brother, sister or wife.

8. The petitioners will appear on each and every date fixed by the Court below and if they fail to do so on two consecutive dates, unless they are prevented by extremely adverse circumstances, the learned Court below will be at liberty to cancel the bail bonds of the petitioners.

9. Before accepting the bail bond, the criminal antecedent of the petitioners shall be verified from all the police stations of Begusarai District and if, it is found that they are involved in any other case except the present one, their bail bonds shall not be accepted.

(Nawneet Kumar Pandey, J)

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