

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15279 of 2024

Arising Out of PS. Case No.-176 Year-2022 Thana- AMBA District- Aurangabad

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AKASH KUMAR S/O RAJU SAW R/O VILLAGE AND P.S-
HARIHARGANJ, DISTT.- PALAMU (JHARKHAND).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-06-2024 Heard learned counsel for the petitioner and learned
APP for the state.

2. The instance application for regular bail has been
filed by the petitioner in connection with Amba P.S. Case No.
176 of 2022 instituted for the offence u/s8/20(b)(ii) (c)/25 of the
NDPS Act.

3. Earlier the application for regular bail of the
petitioner was rejected by this Court vide order dated
01.08.2023 passed in Cr. Misc. No. 61502 of 2022 with a
direction to trial Court to conclude the trial expeditiously.

4. In pursuance to the direction of this Court, a report
with regard to the present stage of trial was called for and the
same has been received dated 16.05.2024 by which, it appears
that the trial will be concluded within a period of six months.



5. It is submitted by learned counsel for the petitioner that there is no hope to conclude the trial in near future and the petitioner is languishing in judicial custody since 28.07.2022 and he has got no criminal antecedent. By way of supplementary affidavit, it is submitted by learned counsel for the petitioner that the father of the petitioner is under treatment at Vellore and none of the male members stands to look after and care the ailing father of the petitioner who is suffering from renal and kidney failure.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Amba P.S. Case No. 176 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge cum Special Judge (NDPS) cum at Aurangabad with followings conditions:-

(i) Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



(ii) If the petitioner tampers with the evidence or threatens the witnesses, in that case, the prosecution will be at liberty to move of cancellation of bail.

(iii) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail-bonds will be cancelled by the Court below.

(Sunil Kumar Panwar, J)

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