

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.25993 of 2024

Arising Out of PS. Case No.-249 Year-2021 Thana- BARAULI District- Gopalganj

Abhishek Kumar @ Abhishek Kumar Paswan SON OF AMITABH BACHAN @ AMITABH BACHAN PASWAN VILLAGE - MORDIHRI, PS-JAMHOR, DIST- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

8 31-01-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Tr. No. 46 of 2021, arising out of Barauli P.S. Case No. 249 of 2021 lodged on 29.08.2021 under Sections 399, 402 of the Indian Penal Code, sections 25(1-b)a, 26, 35 of the Arms Act and sections 20, 22, 25, 29 of the N.D.P.S. Act.

3. Learned counsel for the petitioner submits that earlier bail application of the petitioner was rejected vide order dated 23.08.2022 passed in 22387 of 2022. Learned counsel further submits that at the time of rejection, this Court has pleased to grant liberty to the petitioner to move before this Court after one year of framing of charge. He further submits that charge has already been framed on 21.01.2023 and only thereafter petition has come before this Hon'ble Court. He



further submits that the quantity recovered from the petitioner's possession is less than the commercial quantity. There are eight criminal antecedents of the petitioner but none of the case is related to the NDPS and in six cases he is on bail.

4. Learned counsel for the State opposes the prayer for bail.

5. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **on being satisfied by the Trial Court that the petitioner is not absconding in the cases as mentioned in paragraph no. 3 of the bail petition which is mentioned below**, on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Session Judge, 1st cum Special Judge, NDPS Act, Gopalganj, in connection with Tr. No. 46 of 2021, arising out of Barauli P.S. Case No. 249 of 2021, subject to the conditions as laid down under Section 437 (3) of the Code of Criminal Procedure with other following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

6. The details of the cases pending against the petitioner are as follows:-

- i. Hathua P.S. Case No. 118 of 2021.
- ii. Barauli P.S. Case No. 218 of 2021.
- iii. Sidhwaliya P.S. Case No. 247 of 2021.
- iv. Barauli P.S. Case no. 229 of 2021.
- v. Bhagwanpur P.S. Case No. 157 of 2021.
- vi. Basantpur P.S. Case No. 366 of 2021.
- vii. Taraiya P.S. Case No. 263 of 2021.

(Dr. Anshuman, J)

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