

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68616 of 2025

Arising Out of PS. Case No.-183 Year-2023 Thana- KHARIK District- Bhagalpur

Azad Yadav S/o Khajanchi Yadav R/vill- Basua, P.S.- Pasraha, Distt-
Khagaria,Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Prasad, Adv.

For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 09-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kharik P.S. Case No.183 of 2023, NDPS Case No.98 of 2023
lodged under Sections 20 and 22 of the NDPS Act.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner has earlier been rejected vide
order dated 21.06.2024 passed in Cr. Misc. No.13323 of 2024
only on the ground that his antecedent was not clean.

4. Learned counsel for the petitioner further submits
that the petitioner's antecedent is not clean. There are 9 criminal
cases pending against him. He further submits that a
supplementary affidavit has been filed in which it has intimated
that out of 9 cases, he has been acquitted in two cases, namely,
Pasraha P.S. Case No.111 of 2019 (S.Tr. No.195 of 2022) and
Pasraha P.S. Case No.97 of 2020 (S.Tr. No.356 of 2024). He



further submits that in other cases, namely, Pasraha P.S. Case No.127 of 2019, Pasraha P.S. Case No.142 of 2016, Pasraha P.S. Case No.16 of 2017, Pasraha P.S. Case No.83 of 2016, Pasraha P.S. Case No.139 of 2015, Pasraha P.S. Case No.46 of 2012 & Pasraha P.S. Case No.145 of 2016, he is on bail and in all those cases, he is continuously appearing, but in two cases, namely, Pasraha P.S. Case No.46 of 2012 & Pasraha P.S. Case No.145 of 2016, inspite of best effort of *Pairwikar*, he could not obtained the certified copy of the same. In that light, he submits that since this Court has pleased to direct for conclusion of trial within one year, but when trial could not be completed within one year, then he moved before this Court for bail.

5. Learned APP for the State opposes the prayer for bail and submits that petitioner has not complied the earlier order i.e., whether he is absconding in all cases pending against him or not.

6. In the present facts and circumstances of this case and the submissions made above, this Court deems it appropriate that not to keep the present case pending here and therefore, let the petitioner above named, be granted bail, **only after being satisfied by the Trial Court that the petitioner is not absconding in two cases, namely, Pasraha P.S. Case**



No.46 of 2012 & Pasraha P.S. Case No.145 of 2016, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of Addl. Session Judge-1st, Bhagalpur in connection with Kharik P.S. Case No.183 of 2023, NDPS Case No.98 of 2023, subject to the following conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the 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.

(Dr. Anshuman, J)

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