IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41673 of 2026

Arising Out of PS. Case No.-154 Year-2020 Thana- AMAS District- Gaya

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Birendra Paswan, Son of Raghunandan Paswan, R/o Jhikatiya Khurd, P.S.- Imamganj, District- Gaya.

... ... Petitioner/s

Versus

1. The State of Bihar
2. Union of India New Delhi

... ... Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Shiva Shankar Sharma, Advocate Mr. Arun Kumar Sinha, Advocate Mr. Sudhakar Ranjan, Advocate Mr. Rajiv Kumar Sharma, Advocate Mr. Dhananjay Kumar, Advocate
For the State	:	Mr. Ashok kumar Singh, APP
For the U.O.I.	:	Mr. Sanjay Kumar Bharti, CGC

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 20-08-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Amas P.S. Case no.154 of 2020, registered under section 15(c) of the N.D.P.S Act.

3. As per the prosecution case, the informant states that seeing the police personnel, the driver of the commercial vehicle abandoned the vehicle and taking cover of the darkness and heavy rain managed to escape. On a search being conducted in the presence of the villagers, *doda* stick weighing about 191 kgs were recovered.

4. Learned counsel for the petitioner submits that the

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petitioner has been falsely implicated in the case in course of investigation in the confessional statement of co-accused Ajeet Kumar who was caught in one another case under the Arms Act wherein in his confession made before police he is said to have taken the name of the petitioner as being involved in this occurrence. Learned counsel submits that besides the said confession there is no other material to connect the petitioner with the alleged crime. The petitioner has no concern with the vehicle from which the alleged recovery is said to have taken place, he neither being the owner nor the drive of the pick-up vehicle. The petitioner is in custody since 28.2.2026 and has no antecedent under the N.D.P.S. Act.

5. The application for bail is opposed by learned A.P.P. for the State who submits that substantial material has transpired against the petitioner to connect him with the alleged crime.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the material that has transpired in course of investigation, the petitioner having remained in custody since 28.2.2026, charge-sheet having been submitted in the case and especially the petitioner not having any antecedent under the N.D.P.S. Act,

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the petitioner is directed to be enlarged on bail in connection with Amas P.S. Case no.154 of 2020, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge -cum- Special Judge N.D.P.S. Act, Gayaji on the following condition :-

(I) In case it subsequently transpires that the petitioner has an antecedent under the N.D.P.S. Act, the prosecution will be at liberty to move this Court for cancellation of bail granted to the petitioner.

(Partha Sarthy, J)

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