

**IN THE COURT OF THE DISTRICT AND ADDITIONAL SESSIONS JUDGE-
1st-CUM-SPECIAL JUDGE (SC/ST, CHILDREN & NDPS ACT)
AURANGABAD (BIHAR)**

GR (NDPS) CASE NO. 21 OF 2021

NCB PS CASE NO: 24 OF 2021

Anand Kumar Singh

Petitioner/Accused

Versus

State of Bihar

Prosecution

Order with signature of the Court

Dated
03.07.2025

A regular bail petition has been filed on behalf of the accused/petitioner namely **Anand Kumar Singh** who is in judicial custody since **26.10.2021** in connection with NCB Case No. 24/2021 under Sections 24 (b) (iii) (c), 25, 29 and 07 of the NDPS Act, 1985. After furnishing the copy of the bail petition to the Public Prosecutor and pressed today.

The learned counsel for the accused/petitioner reading out the contents of the F.I.R., submitted that the accused/petitioner is innocent and he has committed no offence and earlier a regular bail has been filed in BP No. 166/2022 dated 26.02.2022 which was rejected and thereafter he moved before the Hon'ble Court and the Hon'ble Court has also been rejected vide order dated 05.09.2022 passed in Criminal Miscellaneous No. 20890/2022 as well and no any bail petition has been filed on behalf of the petitioner before any Court of law except the instant one. He added that the petitioner has been falsely implicated in this case by the informant. He added that there is no criminal history against the accused/petitioner. He added that the accused/petitioner is in judicial custody since 26.10.2021. He added that the accused/petitioner was already ill while in judicial custody and after going into judicial custody, due to kidney stone, he was sent from Sadar Hospital Aurangabad to Magadh Medical College and Hospital, Gaya but despite that, he is still in pain and due to being in judicial custody, proper and correct treatment is not possible. He further added that the Doctors have advised to take pure and balanced food and water and have also prohibited certain food items and vegetables, which is not possible while being in jail and on the basis of the above facts and medical evidence available in the records, the accused/petitioner is entitled to provisional bail and it has been prayed to extend the privileges of bail to the accused/petitioner.

Per-contra, the learned Special Public Prosecutor (NDPS) has opposed the bail application of the accused/petitioner and the allegation is serious in nature.

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After giving due attention to the averments of the parties, it goes to reveal from the case record that the FIR has been lodged against the accused/petitioner in connection with NCB Case No. 24/2021 under Sections 24 (b) (iii) (c), 25, 29 and 07 of the NDPS Act, 1985. From perusal of the case record that the accused/petitioner is languishing in jail since 26.10.2021 and as per the petitioner is suffering from various old aged diseases such as Kidney Stone and was referred to Sadar Hospital, Aurangabad thereon Gaya Medical College and Hospital but his health was not improved and the petitioner has produced the supported medical prescription and diagnosis report in this circumstances for the better treatment. Considering the whole issue in totality and period of custody as well, this Court is of the view that as a warning chance in the present state of the facts and circumstances, may be given to the accused/petitioner. As such the accused/petitioner is directed to be released on regular bail **on furnishing bail bonds of Rs. 15,000 with two sureties of like amount each with further condition to be undertaken under Section 480 (3) of Bhartiya Nagrik Suraksha Sanhita (BNSS), 2023, with further condition that accused/petitioner to be in physically attendance each and every date so fixed from time to time till disposal and one bailor shall be family member and one bailor shall be local. In default of any of the above conditions, the bail bonds of the accused/petitioner will be cancelled. Accordingly, the prayer for regular bail of the accused/petitioner is provisionally allowed. This regular bail has been provisionally granted not on merit of this case only on medical ground and the accused/petitioner is also directed to submit the medical report time to time in the Court.**

Dictated

(Esrar Ahmed)
District & Additional Sessions Judge-1st-cum-
Special Judge (SC/ST, CHILDREN & NDPS ACT)
Aurangabad, Bihar
Dated: 03.07.2025

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