

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54083 of 2025**

Arising Out of PS. Case No.-423 Year-2022 Thana- KUCHAIKOTE District- Gopalganj

Iliyash Hussain @ Iliyas Husen @ Iliyas Hussain @ Iliyas Husen S/O Mansur Ali @ Mansur Ali Miya R/O Village-Ghughumari Bazar(Dhudhumari Bazar), PS-KOtwali, Cooch Bihar(Cooch Bihar), Distt-Cooch Bihar(Cooch Bihar), West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Pandey, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

7 28-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with NDPS Tr. No.65/2022, arising out of Kuchaikot P.S. Case No.423 of 2022, registered for the alleged offence under Sections 8 (c), 20 (B) (ii) (c) of NDPS Act.

3. As per prosecution case, during checking of vehicles, driver of one pick up vehicle started fleeing away, who was apprehended and from the vehicle, recovery of 88.3 Kg of *ganja* was made. The petitioner is the apprehended person.

4. The learned counsel for the petitioner submits that this is the third attempt of the petitioner to seek bail from this Court. Earlier, the prayer for bail of the petitioner was rejected



vide order dated 28.06.2024 passed in Cr. Misc. No.33381 of 2024. The learned counsel further submits that the petitioner is in custody since 17.09.2022 and till date trial has not been concluded. The learned counsel further submits that the prosecution evidence has been completed before the learned trial court and the matter is fixed for recording the evidence of accused persons under Section 313 Cr.P.C.

5. The learned APP vehemently opposes the submission made on behalf of the petitioner. The learned APP submits that no fresh ground has been brought on record for reconsideration of prayer of bail and the period of custody could not be a ground.

6. From perusal of record, it is apparent that except for long duration of incarceration, no new fact has come on record to satisfy this Court that the petitioner has not committed such offence or he would not indulge in such activities in future. Further, the prosecution has completed its evidence and now the ball is in the court of the petitioner.

7. Having regard to the facts and circumstances and submission made on behalf of the parties, I do not find any new ground to reconsider the prayer for bail of the petitioner.

8. Hence, his prayer for grant of bail is rejected.



9. However, the learned trial court is directed to show urgency and move for disposal of the case since prosecution has completed its evidence and it has been submitted on behalf of the petitioner that the matter is fixed for recording the evidence of accused persons under Section 313 Cr.P.C.

(Arun Kumar Jha, J)

V.K.Pandey/-

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