

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72936 of 2025**

Arising Out of PS. Case No.-898 Year-2024 Thana- SASARAM NAGAR District- Rohtas

Altumas @ Jaid Ali @ Alatamas Son of Niyaz Ali Ansari Resident of Village  
- Pethiyanw Police Station - Chenari, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate  
Mr. Raghunandan Kumar Singh, Advocate  
Ms. Vaishnavi Singh, Advocate

For the State : Mr. Shahabuddin Azeem @ S. Azeem, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

3      17-11-2025              Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with Sasaram (Town) P.S. Case No. 898 of 2024 instituted for the offence under Sections 21, 23, 25, 25A, 27(a), 29, 30 & 32 of the NDPS Act and Sections 25(1-B)a, 35 & 26 of the Arms Act. Earlier vide order dated 15-02-2025, passed in Cr. Misc. No. 6713 of 2025, regular bail of the petitioner was rejected by this Court.

3.      Learned counsel for the petitioner submits that the present one is the second attempt for grant of regular bail to the petitioner. It is mainly submitted that charge in this case is



framed and till date, no witness has been examined hitherto. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03-11-2024, having two criminal antecedents. Learned counsel further submits that there is no likelihood of the trial being concluded in the near future. Learned counsel goes on to submit that the continued incarceration of the petitioner without conclusion of trial amounts to a gross violation of the fundamental right guaranteed under Article 21 of the Constitution of India, which is reiterated by Hon'ble Apex Court in plethora of judgments. Learned counsel for the petitioner mainly submits that after rejection of the petitioner's bail order, other similarly situated co-accused has been enlarged on bail by this Court vide order dated 29.08.2025, passed in Cr. Misc. No. 22470 of 2025, by taking into account the fact that nothing has been recovered from the conscious possession of the petitioner.

4. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

5. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, claim based on parity and taking into account the fact that continued detention of the petitioner would serve no purpose other than punitive



pretrial incarceration, which is antithetical to the spirit of Article 21 of the Constitution of India, this Court is inclined to grant bail to the petitioner.

6. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sasaram (Town) P.S. Case No. 898 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.,

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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