

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7255 of 2026

Arising Out of PS. Case No.-665 Year-2024 Thana- FORBESGANJ District- Araria

Md. Waris Alam @ Waris Alam @ Munna S/O Md. SK. Riyasat @ Riyasat @
Md Malim R/O Village Haripur ward no.- 06, P.S - Forbesganj, District-
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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

ORAL ORDER

2 19-02-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Forbesganj P.S. Case No. 665 of 2024, instituted for the
offences under Sections 21(c) of the Indian Penal Code.

3. This is the second attempt of the petitioner for bail.
The petitioner has renewed his prayer for grant of regular bail
which was earlier rejected by a co-ordinate Bench of this Court
vide order dated 14.05.2025 passed in Cr. Misc. No. 6900 of
2025 taking into consideration the recovery of commercial
quantity of Corex Triprolidine Hydrochloride and Codeine
Phosphate Syrup Wiscodin from the motorcycle of the
petitioner.



4. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 26.10.2024 without any rhymes or reason and has got two criminal antecedents in which he is on bail. It is further submitted that charge has already been framed against the petitioner on 22.03.2025 and till date the trial has not concluded.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP for the State relied upon a decision of the Hon'ble Apex Court reported in **2024 SCC OnLine SC 3539 (X. vs. State of Rajasthan & Anr.)**, wherein in paragraph no. 14, the Hon'ble Apex Court has held as under:

“14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the Court, be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.”

6. There is no new ground to consider the bail petition of the petitioner. Considering the reliance placed by the learned APP for the State upon a decision of the Hon'ble Apex Court,



this Court is not inclined to grant bail to the petitioner.

7. In view of the above, the prayer for bail of the petitioner is again rejected with a direction to the court below to expedite the trial and conclude the same.

(Rudra Prakash Mishra, J)

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