

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10124 of 2026

Arising Out of PS. Case No.-540 Year-2025 Thana- PURNEA SADAR District- Purnia

Md. Ishak @ Isak @ Md. Isak S/o Md. Kayum R/o vill- Lakahanjhari, Hasda,
Zeromile, PS- Sadar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dheeraj Kumar, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 18-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Purnea Sadar P.S. Case No. 540 of 2025 registered for the offence
punishable under Sections 8(c), 21(b) of the N.D.P.S. Act.

3. The case of the prosecution, in short, is that
altogether 10.65 grams of *smack* like contraband was recovered
from the possession of this petitioner.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. He also
submits that nothing has been recovered from the possession of
this petitioner. He also submits that the witnesses of the seizure
list are police personnel and the police has not complied with



Section 105 of the BNSS while making the seizure. He further submits that the alleged contraband recovered from the possession of the petitioner is more than small quantity but is much less than commercial quantity. He further submits that similarly situated co-accused namely, Md. Aslam has been granted bail by this court vide Cr. Misc. No. 12568 of 2026. The case of this petitioner stands on similar footing. Moreover, the petitioner is languishing in judicial custody since 24.10.2025.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of two cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge (NDPS Act), Purnea in connection with Purnea Sadar P.S. Case No. 540 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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