

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10288 of 2026

Arising Out of PS. Case No.-380 Year-2024 Thana- Sahayak Khajanchi District- Purnia

Md. Istiyak Alam Son of Late Ainul Haque @ Alnul Haque Resident of
village- Basantpur Ward nO. 46, P.S- Purnea Sadar, Dist- Purnea At present
Madhopara Durga Asthan Ward no. 26, Ps- Sahayak Khajanchi, Dist- Purnea
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

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

ORAL ORDER

2 13-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Special
NDPS Case No. 72 of 2025, arising out of Sahayak Khajanchi
P.S. Case No. 380 of 2024 instituted for the offences under
Sections 277 & 278 of the Indian Penal Code, Sections 27(i)(ii)
& 27(2) of the Drugs and Cosmetics Act and Sections 8(c) &
21(b) of the NDPS Act as also Section 30(a) of the Bihar
Prohibition and Excise Act.

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 on merit by this Court vide order
dated 01.07.2025, passed in Cr. Misc. No. 19233 of 2025, taking
into account recovery of contraband beyond commercial



quantity coupled with embargo under Section 37 of the NDPS Act.

4. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 01.01.2025 without any rhymes or reason, having no criminal antecedent. Learned counsel for the petitioner submits that there is no likelihood of the trial being concluded in the near future, hence, petitioner may be enlarged on bail.

6. Learned APP for the State opposes the prayer for grant of bail. Referring to impugned order, it is submitted that two (2) out of six (6) prosecution witnesses have been examined in this case, hence, petitioner does not deserve the privilege of bail.

7. There is no new ground to consider the bail petition of the petitioner, which is already decided by this Court on merit.

8. 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 expeditiously.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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