

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33256 of 2026

Arising Out of PS. Case No.-88 Year-2026 Thana- PURNEA SADAR District- Purnia

Md. Hasim Son of Feku Alam @ Md. Feku Alam @ Felu Alam Resident of
Village- Kabristan Tola, Ziromile, P.S.- 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. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 14-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 8(c), 21(b) of the
N.D.P.S. Act.

3. As per the prosecution case, it is alleged that
27.25 grams of Smack/Brown sugar was recovered from the
possession of the petitioner.

4. Learned counsel for the petitioner submits that
the alleged recovery has been shown in the dead of night at
around 2:00 a.m. and the recovery has been shown from the
pockets of the jeans and jacket of the petitioner and one
another. It is further submitted that the mandatory provisions of



search and seizure have not been followed and the recovered contraband is much less than commercial quantity and little over small quantity. It is further submitted that the similarly situated co-accused, namely, Feku Alam has been granted the privilege of bail by a Co-ordinate Bench of this Court vide order dated 12.05.2026 passed in Cr. Misc. No.32393 of 2026. This petitioner is in custody since 15.02.2026 and charge-sheet has been submitted.

5. Learned APP for the State has opposed the grant of bail on the ground that the petitioner has one criminal antecedent, however, in response it has been submitted that the same is not of similar nature and he is on bail in the same.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that the seizure of contraband is much less than the commercial quantity and further considering the fact that the charge-sheet has also been submitted, coupled with the fact that similarly situated co-accused has already been granted the privilege of bail by a Co-ordinate Bench of this Court, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge



(NDPS Act), Purnea/concerned Court below in connection with
Special (NDPS Act) Case No. 66 of 2026, arising out of Purnea
Sadar P.S. Case No.88 of 2026, subject to further condition:

i. One of the bailors would be the mother of the
petitioner.

(Soni Shrivastava, J)

anand/prachi/-

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