

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32393 of 2026

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

Feku Alam @ Md. Feku Alam @ Felu Alam S/o Late Ashraf Ali R/o 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 MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Purnea Sadar P.S. Case No. 88 of 2026 registered for the alleged offences under Sections 8(c), 21(b) of N.D.P.S. Act.

03. As per prosecution case, co-accused Sohil Rishi was apprehended with 0.34 gram of smack and he disclosed the name of this petitioner and co-accused Md. Hasim from whom he procured the smack. A raid was conducted at the house of the petitioner and recovery of 27.25 and 24.78 grams of smack, respectively, was made from the petitioner and co-accused Md. Hasim.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The prosecution story is quite strange as in the dead of night at around 02:00 am, the petitioner and co-accused were apprehended and recovery has been shown from pockets of their jeans and jacket. Learned counsel further submits that search and seizure has been made in contravention of the statutory provisions. Moreover, recovery of contraband is much less than the commercial quantity though it is more than the notified small quantity. The petitioner is having clean antecedent and is in custody since 15.02.2026. Charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the seizure of less than the commercial quantity of the contraband and further considering the period of custody of petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (NDPS Act), Purnea 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 the conditions mentioned in Section 480(3) of BNSS
and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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