

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45999 of 2021

Arising Out of PS. Case No.-19 Year-2020 Thana- HATHUA District- Gopalganj

Indal Sah @ Indal Singh S/O Mahesh Sah R/O Village- Turakpati, P.S.-
Hathua, District- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 24-11-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Ramchandra Singh, learned APP for the State.

This is the second attempt of the petitioner to obtain regular bail in connection with Hathuwa P.S. Case No. 19 of 2020 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016 and Sections 467, 468 and 471 of the Indian Penal Code.

Earlier his prayer for bail was rejected after noticing that the petitioner has got criminal antecedent of 8 cases on his head and all the cases are of serious nature. Even under the provisions of the Bihar Prohibition and Excise Act, he has got criminal history of two cases and further that in the present case, he was arrested while trying to flee away from the vehicle in which 472.680 liters of liquor were



recovered.

This Court, however, had granted liberty to the petitioner to renew his prayer for bail if the trial is not concluded within a period of 9 months after start of normal functioning of the Court. This application seems to be premature inasmuch as it is well known to everyone that the trial court has yet not started functioning in normal mode and very recently the courts have started working physically on alternate days. It has come to the notice of this Court that recently instruction has been issued to all the district courts to conduct physical courts on 5 days in a week.

In such view of the matter, the petitioner has not moved this Court in terms of the order dated 02.09.2020, hence the prayer for bail is rejected at this stage. The learned trial court is expected to proceed with the trial and conclude it as early as possible within a period of 6 months from the date of communication of the order by keeping the records on shorter dates.

If the trial still remains unconcluded for no reason attributable to the petitioner within the aforesaid period, he may renew his prayer for bail.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

