

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4401 of 2022

Arising Out of PS. Case No.-258 Year-2019 Thana- ISUAPUR District- Saran

Subbu Singh @ Subha Singh @ Subhu Singh @ Sube Singh S/o Ram
Chandra Singh @ Ramchander Singh @ Ramchandra Resident of Bhiwani
Dabur Colony, P.S.- Sadar, District- Bhiwani (Haryana)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Raju Prasad, Advocate

For the Opposite Party : Mr. Sanjay Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 09-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of Isuapur
P.S. Case No. 258 of 2019, disclosing offence punishable under
Sections 420, 467, 468, 471, 272 and 273 of the Indian Penal
Code and Section 30(a) of the Bihar Excise and Prohibition
Act.

The petitioner is in custody since 19.12.2019. His
prayer for regular bail was earlier twice rejected; firstly, by an
order dated 09.07.2020, passed in Criminal Miscellaneous No.
18184 of 2020 and secondly, by an order dated 26.05.2021
passed in Criminal Miscellaneous No. 12506 of 2021.

Allegedly, 2008.800 liters of illicit liquor was



recovered from a Tata 407 vehicle and the petitioner was apprehended on the spot, he being the driver of the vehicle.

While rejecting the petitioner's prayer in regular bail by order dated 26.05.2021, it was observed, keeping in mind that the petitioner has no criminal antecedent that the petitioner shall be at liberty to renew his prayer for bail after completion of two years of custody, if in the meanwhile there was no progress at the trial.

A report has been called for from the court below as regards present stage of the trial by order dated 09.02.2022. Learned Additional Sessions Judge-II-cum Ist Exclusive Special Excise Judge, Saran in his report dated 25.02.2022 has informed that the trial of the case has not commenced.

Considering the observation made by this Court in the order dated 26.05.2021 passed in Criminal Miscellaneous No. 12506 of 2021, since the petitioner has remained in custody for more than two years after his arrest and the trial has not yet commenced, this application is allowed.

Let the petitioner, above-named, 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 2nd Additional Sessions Judge-cum-Special Judge,



Excise, Saran in Isuapur P.S. Case No. 258 of 2019.

(Chakradhari Sharan Singh, J)

K.K.RAO/-

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