

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59065 of 2022

Arising Out of PS. Case No.-171 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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SALLU GUPTA @ SALLO GUPTA Son of Suresh Chandra Gupta R/o
House No. B- 693 Mayur Vihar, Phase-3, Gharoli Diary Farm, P.S.- Gajipur,
District- East Delhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-04-2023 Heard learned counsel for the petitioner and learned APP
for the State.

This is the second attempt of the petitioner to obtain regular bail in connection with Saran Excise Case No.171/2021 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016. The petitioner is in custody since 21.07.2021. He has got no criminal antecedent.

Learned counsel for the petitioner submits that earlier while rejecting the prayer for bail of the petitioner on 06.04.2022 in Cr. Misc. No. 56572 of 2021, this Court had observed that in case the trial is not concluded within a period of six months for no reason attributable to the petitioner, the petitioner may renew his prayer for bail.

Learned counsel further submits as per the direction of this Court, the trial has not progressed.



Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner is in custody since 21.07.2021 and in terms of the liberty granted by this Court vide its order dated 06.04.2022, the petitioner has renewed his prayer for bail, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran in connection with Saran Excise Case No.171/2021, subject to the condition as laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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