

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66722 of 2023

Arising Out of PS. Case No.-53 Year-1989 Thana- SUGAULI District- East Champaran

Bhagrit Sah @ Bhagirath Sah, son of Late Jokhan Sah Village- Chhapwa Po-
Sugauli dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar, Advocate

For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sugauli P.S. Case No. 53/1989, lodged on 11.07.1989 under
Sections 7 of the Essential Commodities Act, 1955.

3. As per the prosecution case, the petitioner is
accused in a case lodged under Section 7 of the Essential
Commodities Act.

4. Learned counsel for the petitioner submits that it is
a case lodged on 11.07.1989 and due to a mistake on the part of
the Advocate's clerk proper pairavi could not be made, as a
result of which, the bail bonds of the petitioner have been
cancelled on 14.07.2016 and he was declared absconder on
19.06.2023. Thereafter, a permanent warrant of arrest was



issued on 03.07.2023 and the petitioner was arrested and has been in custody since 06.07.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that only due to the non-appearance of the petitioner in the trial, the case which has been pending since 1989 could not result in finality.

6. Upon specific query from the counsel for the petitioner whether the explanation of the accusation took place or not, learned counsel for the petitioner submits that he is not aware of the fact whether the accusation took place or not.

7. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Sugauli P.S. Case No. 53/1989 pending before the learned SDJM, Sadar, Motihari, Esat Champaran, is hereby rejected.

9. However, the trial Court is directed to conclude the trial within two months. In the event, that the trial is not concluded within the aforesaid period, the trial Court is directed to release the petitioner on bail by imposing its own condition so that the petitioner may not evade appearance on the date fixed.



10. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J)

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