

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20766 of 2026

Arising Out of PS. Case No.-124 Year-2017 Thana- VIJAYEPUR District- Gopalganj

Suresh Baitha Son of Late Bijai Baitha Resident of Village - Bhanpur, P.S. -
Vijaypur, Dist. - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 02-04-2026 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner has prayed for bail in connection with
Vijaypur P.S. Case No. 124 of 2017 registered for the offence
punishable under Sections 272, 273, 420 of the Indian Penal Code
and Sections 30(a), 37(b) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner has submitted that
in this case, the petitioner was on bail and his bail bond was
cancelled as he had jumped the privilege of bail. He also submits
that the case was fixed for appearance and he could not appear
and the processes issued by the court, were not served on him. He
further submits that due to his absence, no work of the court has
been hampered, as the case was pending for appearance. It is a
simple case of misuse of bail.

4. The application for bail is opposed by learned APP



for the State.

5. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail **with the condition that the petitioner shall remain physically present on each and every date fixed by the learned trial court till the conclusion of the trial.** The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-IV-cum-Exclusive Special Excise Court-II, Gopalganj in connection with Vijaypur P.S. Case No. 124 of 2017.

6. Before parting, it is very disheartening to note that even the officers in the cadre of A.D.J. are not able to understand their jurisdiction and the orders are passed in a mechanical manner without application of mind, if the case was fixed for appearance, other accused persons were also not present, so how has the work of the court been hampered if the present petitioner is not present, he should introspect.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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