

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26785 of 2026

Arising Out of PS. Case No.-174 Year-2000 Thana- SONEPUR District- Saran

Lalan Singh, Son of Late Ramikbal Singh, Resident of Village- Mirjapur
Gangajal, P.S.- Sonepur, District- Saran at Chapra (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 22-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in connection with Sonepur P.S. Case No. 174 of 2000 registered for the offence punishable under Section 273 of the Indian Penal Code and Section 47(a) of the Excise Act.

3. Learned counsel for the petitioner has submitted that this is a case of misuse of bail. It has been submitted that the petitioner was previously on bail vide order dated 12.11.2001 and was making proper *pairvi*. The petitioner has no knowledge about the stage of the case and so he could not appear earlier and the bail bond of the petitioner was cancelled on 19.12.2003 and non-bailable warrant was issued and later on, he was declared absconder. It has further been submitted that



petitioner is having no criminal antecedent and he is languishing in judicial custody since 13.02.2026.

4. Learned counsel for the petitioner has further submitted that as the petitioner has gone outside the State for livelihood, he could not make proper *pairvi*. Though, the petitioner was declared absconder but the notices issued against him were not received by him or served to him. He had no knowledge about the proceedings of this case. It has further been submitted that the petitioner undertakes to make proper *pairvi*.

5. Considering the above facts and circumstances of the case and the submission made by learned counsel for the petitioner, this Court is inclined to enlarge the petitioner on bail. 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 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Sonapur P.S. Case No. 174 of 2000 **with the condition that petitioner shall cooperate in the trial and shall remain present on each and every date in the learned trial Court.**

6. It is very disheartening to note that even the



officers in the cadre of District Judge are rejecting the bail of misuse. It seems either they are unaware of their jurisdiction or they do not know how to use their discretion. They need to introspect.

(Ashok Kumar Pandey, J)

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