

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47214 of 2026

Arising Out of PS. Case No.-164 Year-2025 Thana- Excise P.S. District- Saharsa

Arjun Kumar Son of Madho Das @ Magho Das Resident of Village- Sarahi,
Ward No. 05/40, P.S.- Sadar (Saharsa), District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 10-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 164 of 2025, instituted for the offences under
Section 30(a) of Bihar Prohibition and Excise Act.

3. This is the second attempt of the petitioner for bail.
The petitioner has renewed his prayer for grant of regular bail
which was earlier rejected by this Court vide order dated
20.11.2025 passed in Cr. Misc. No. 58857 of 2025 taking into
consideration the facts and circumstances as well as the stage of
the case.

4. Learned counsel for the petitioner submits that the
petitioner is languishing in judicial custody since 23.04.2025



without any rhymes or reason and has got five criminal antecedents. Learned counsel for the petitioner next submits that previously, liberty of four months was granted to the petitioner to renew his prayer before the learned Trial Court, if the trial is not concluded within a period of four months. It is also submitted that vide order dated 22.04.2026 of the learned Trial Court, it transpires that the present case is on final argument and the same is about to conclude within few dates, but till date the matter has not been concluded. It is further submitted that the continued incarceration of the petitioner without conclusion of trial amounts to a gross violation of the fundamental right guaranteed under Article 21 of the Constitution of India, which reiterated by Hon'ble Apex Court in plethora of Judgments.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and taking into account the fact that continued detention of the petitioner would serve no purpose other than punitive pretrial incarceration, which is antithetical to the spirit of Article 21 of the Constitution of India, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise P.S. Case No. 164 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

