

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71053 of 2025**

Arising Out of PS. Case No.-2050 Year-2024 Thana- Excise P.S. District- Patna

Shambhu Kumar S/O Late Sahdeo Paswan R/O Attarpura, P.S.- Dhanarua,  
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Raj Krishna Jha

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

5      28-01-2026                      Heard the parties.

2. The petitioner seeks bail in connection with Patna Excise P.S. Case No. 2050 of 2024 registered for the offences under Sections 30(a), (f), 32(1)(2)(3), 41(1)(2) and 56(b) Bihar Prohibition and Excise Act, 2016.

3. The petitioner is named in the F.I.R. and is in custody since 04.05.2024.

4. Present is the second successive prayer of bail of petitioner after rejection of his first prayer of bail through Cr. Misc. No. 1777 of 2025 dated 19.02.2025.

5. Learned counsel appearing on behalf of the petitioner submitted that present petition preferred solely on



two grounds i.e., (1). custody period/slow progress of trial and (2). changed circumstances as co-accused Dipak Kumar was granted bail, subsequently by this Court through Cr. Misc. No. 38228 of 2025 dated 17.10.2025. It is submitted that despite custody of one year and nine months, still this matter is at the stage of appearance suggesting, *prima-facie* that trial of this case is not likely to conclude in the near future, which also appears in violation of fundamental right of petitioner *qua* speedy trial available under Article 21 of the Constitution of India. In support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through ***Hussainara Khatoon & Ors Vs. Home Secretary, State of Bihar, [1980 (1) SCC 98]***. While concluding the argument it is submitted that, petitioner is a man of clean antecedent and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, while opposing the prayer for bail could not disputed factual submissions.



7. In view of aforesaid factual submission and by taking note of fact as petitioner remains in custody for about one year and nine month, where still this case is at the stage of appearance, *prima-facie* suggesting that trial is not likely to conclude in the near future, accordingly above named petitioner, is directed to be released on bail in connection with Patna Excise P.S. Case No. 2050 of 2024 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-3, Patna/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

**(Chandra Shekhar Jha, J)**

Sudha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

