

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Cr1.) No.1426/2022

(Arising out of impugned final judgment and order dated 17-12-2021 in CRL.M. No.46577/2021 passed by the High Court of Judicature at Patna)

MONU KUMAR & ORS.

Petitioner(s)

VERSUS

THE STATE OF BIHAR

Respondent(s)

(IA No.22639/2022-EXEMPTION FROM FILING O.T.)

Date : 23-02-2022 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Danish Zubair Khan, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Application seeking exemption from filing O.T. is allowed.

We find a number of cases coming to this Court arising from proceedings initiated under the Bihar Prohibition and Excise Amendment Act, 2018. The trial Court and the High Court are both being crowded by bail applications to an extent that at some stage 16 judges of the High Court are listening to bail matters and prosecutions under the Act concerned forms a large part of it. Denial of bail would also result in crowding of the prisons.

We would like to inquire as to what steps the State of Bihar is taking, having brought the law into force and what analysis took

place before the law was brought into force in terms of the Court infrastructure required and the manpower required to deal with the litigation which would arise from such a statute. We would also like to know whether the plea bargaining provisions can be taken recourse to deal with the scenario as it is emerging.

Issue notice to the respondent.

Dasti, in addition, through standing counsel.

A copy of the Order to accompany the notice.

List on 08th March, 2022.

(RASHMI DHYANI)
COURT MASTER

(POONAM VAID)
COURT MASTER