

ITEM NO.17

Court 1 (Video Conferencing)

SECTION II-A

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

Petition for Special Leave to Appeal (Cr1.) No.8468/2017

(Arising out of impugned final judgment and order dated 10-08-2017 in CRLM No. 34226/2017 passed by the High Court of Judicature at Patna)

THE STATE OF BIHAR

Petitioner(s)

VERSUS

RAJU DAS

Respondent(s)

WITH

SLP(Cr1) No. 8644/2017 (II-A)

(FOR ADMISSION and I.R. and IA No.116970/2017-EXEMPTION FROM FILING O.T.)

SLP(Cr1) No. 8548/2017 (II-A)

SLP(Cr1) No. 8662/2017 (II-A)

(FOR ADMISSION and I.R. and IA No.117326/2017-EXEMPTION FROM FILING O.T.)

SLP(Cr1) No. 8647/2017 (II-A)

SLP(Cr1) No. 3201/2018 (II-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 52186/2018)

SLP(Cr1) No. 3184/2018 (II-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 52061/2018)

SLP(Cr1) No. 3218/2018 (II-A)

FOR EXEMPTION FROM FILING O.T. ON IA 52374/2018)

SLP(Cr1) No. 3200/2018 (II-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 52178/2018

& FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 52179/2018)

SLP(Cr1) No. 3181/2018 (II-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 52043/2018)

SLP(Cr1) No. 3170/2018 (II-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 51913/2018)

SLP(Cr1) No. 3175/2018 (II-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 51993/2018)

SLP(Cr1) No. 3189/2018 (II-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 52097/2018)

SLP(Cr1) No. 3163/2018 (II-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 51821/2018)

SLP(Cr1) No. 3210/2018 (II-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 52331/2018)

SLP(Cr1) No. 3203/2018 (II-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 52203/2018)

SLP(Cr1) No. 3202/2018 (II-A)
(FOR EXEMPTION FROM FILING O.T. ON IA 52195/2018)
SLP(Cr1) No. 3185/2018 (II-A)
(FOR EXEMPTION FROM FILING O.T. ON IA 52066/2018)
SLP(Cr1) No. 3180/2018 (II-A)
(FOR EXEMPTION FROM FILING O.T. ON IA 52049/2018)
SLP(Cr1) No. 3604/2018 (II-A)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 52342/2018 & FOR EXEMPTION FROM FILING O.T. ON IA 52344/2018)
SLP(Cr1) No. 3165/2018 (II-A)
(FOR EXEMPTION FROM FILING O.T. ON IA 51840/2018)
SLP(Cr1) No. 3187/2018 (II-A)
(FOR EXEMPTION FROM FILING O.T. ON IA 52070/2018)
SLP(Cr1) No. 3176/2018 (II-A)
(FOR EXEMPTION FROM FILING O.T. ON IA 52005/2018)
SLP(Cr1) No. 3178/2018 (II-A)
(FOR EXEMPTION FROM FILING O.T. ON IA 52015/2018)
SLP(Cr1) No. 3205/2018 (II-A)
(FOR EXEMPTION FROM FILING O.T. ON IA 52238/2018)
SLP(Cr1) No. 3179/2018 (II-A)
(FOR EXEMPTION FROM FILING O.T. ON IA 52027/2018)
SLP(Cr1) No. 3206/2018 (II-A)
(FOR EXEMPTION FROM FILING O.T. ON IA 52247/2018)
SLP(Cr1) No. 2208/2019 (II-A)
(FOR EXEMPTION FROM FILING O.T. ON IA 38221/2019 & FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/ FACTS/ANNEXURES ON IA 38222/2019)
SLP(Cr1) No. 5058/2021 (II-A)
SLP(Cr1) No. 8467/2021 (II-A)
(FOR EXEMPTION FROM FILING O.T. ON IA 142338/2021 & FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 142339/2021)
SLP(Cr1) No. 8694/2021 (II-A)
(FOR ADMISSION and I.R. and IA No.146510/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.146511/2021-EXEMPTION FROM FILING O.T.)
SLP(Cr1) No. 8774/2021 (II-A)
(FOR ADMISSION and I.R. and IA No.148079/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.148078/2021-EXEMPTION FROM FILING O.T.)
SLP(Cr1) No. 9932/2021 (II-A)
(FOR ADMISSION and I.R. and IA No.166924/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.166925/2021-EXEMPTION FROM FILING O.T.)
SLP(Cr1) No. 8652/2017 (II-A)
(FOR ADMISSION and I.R. and IA No.117041/2017-EXEMPTION FROM FILING O.T.)
SLP(Cr1) No. 3214/2018 (II-A)
(FOR EXEMPTION FROM FILING O.T. ON IA 52357/2018)
SLP(Cr1) No. 3207/2018 (II-A)
(FOR EXEMPTION FROM FILING O.T. ON IA 52254/2018 & FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA

52257/2018)

SLP(Cr1) No. 3190/2018 (II-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 52106/2018)

SLP(Cr1) No. 3204/2018 (II-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 52212/2018)

SLP(Cr1) No. 3603/2018 (II-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 52227/2018)

SLP(Cr1) No. 3605/2018 (II-A)

(FOR EXEMPTION FROM FILING O.T. ON IA 52929/2018
FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
52930/2018)

Date : 11-01-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE A.S. BOPANNA

HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s)

Mr. Manish Kumar, AOR

Mr. Abhinav Ramkrishna, AOR

For Respondent(s)

Mr. S. R. Setia, AOR

Mr. Ajayinder Sangwan, Adv.

Mr. H.S. Singh, Adv.

Mr. Summinder Paswan, Adv.

Mr. Vipul Kumar, Adv.

Mr. Vivek Narayan Sharma, AOR

Mr. T. Mahipal, AOR

Ms. Anisha Upadhyay, AOR

Mr. Sudhansu Palo, AOR

Mr. Surendra Kr. Roy, Adv.

Mr. Budhadev Palo, Adv.

Mr. Niranjana Das, Adv.

Mr. B. Jagannath Rao, Adv.

Mr. Prasant Varma, Adv.

Mr. Preshit Vilas Surshe, AOR

Ms. Nidhi, AOR (SCLSC)

Ms. Suvarna S. Ganu, Adv. (SCLSC)

Mr. Shadan Farasat, AOR

Mr. Raghavendra S. Srivatsa, AOR

Mr. Mansoor Ali, AOR
Mr. Bilal Mansoor, Adv.

Mr. Kumar Mihir, AOR

Mr. Rajat Kumar, Adv.
Mr. Pukhrambam Ramesh Kumar, AOR
Ms. Anupama Ngangom, Adv.
Mr. Karun Sharma, Adv.

Mr. C. George Thomas, Adv.
Mr. Gaurav Agrawal, AOR

Ms. Fauzia Shakil, AOR

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

S.L.P.(Cr1.) No.2208/2019:-

The Court is convened through Video Conferencing.

Learned counsel appearing for the petitioner submits that the Special Leave Petition involving question of anticipatory bail has become infructuous as his client has thereafter been granted regular bail.

In view of the above, the Special Leave Petition is dismissed as having become infructuous.

SLP(Cr1) No.8468/2017, SLP (Cr1.) No.8644/2017, SLP(Cr1)
No. 8548/2017, SLP(Cr1) No. 8662/2017, SLP(Cr1) No. 8647/2017,
SLP(Cr1) No. 3201/2018, SLP(Cr1) No. 3184/2018, SLP(Cr1)
No. 3218/2018, SLP(Cr1) No. 3200/2018, SLP(Cr1) No. 3181/2018,
SLP(Cr1) No. 3170/2018, SLP(Cr1) No. 3175/2018, SLP(Cr1)
No. 3189/2018, SLP(Cr1) No. 3163/2018, SLP(Cr1) No. 3210/2018,
SLP(Cr1) No. 3203/2018, SLP(Cr1) No. 3202/2018, SLP(Cr1)
No. 3185/2018, SLP(Cr1) No. 3180/2018, SLP(Cr1) No. 3604/2018,
SLP(Cr1) No. 3165/2018, SLP(Cr1) No. 3187/2018, SLP(Cr1)
No. 3176/2018, SLP(Cr1) No. 3178/2018, SLP(Cr1) No. 3205/2018,
SLP(Cr1) No. 3179/2018, SLP(Cr1) No. 3206/2018, SLP(Cr1)
No. 5058/2021, SLP(Cr1) No. 8467/2021, SLP(Cr1) No. 8694/2021,
SLP(Cr1) No. 8774/2021, SLP(Cr1) No. 9932/2021, SLP(Cr1)
No. 8652/2017, SLP(Cr1) No. 3214/2018, SLP(Cr1) No. 3207/2018,

SLP(Crl) No. 3190/2018, SLP(Crl) No. 3204/2018, SLP(Crl) No. 3603/2018 & SLP(Crl) No. 3605/2018:-

The Court is convened through Video Conferencing.

Heard learned counsel appearing for the State of Bihar at considerable length.

Exemptions are allowed.

Learned counsel appearing for the State of Bihar submits that the High Court has been granting bail to the Respondents – accused herein mechanically without recording any reason therefor which deserves to be set aside and bail be cancelled as otherwise the object of the Act will be defeated.

We find the respondents – accused were charged with the offence which relates to Bihar Prohibition and Excise Act, 2016 and in most of the cases the impugned Orders passed by the High Court by which the bail was granted to them are of the years 2017/2018. There is no specific complaint of violation of the condition. To achieve the object of the Act, the prosecution of the case should be made in all earnestness to secure conviction and punishment.

We are informed by the learned counsel appearing for the State of Bihar that the investigation stands completed and the charge-sheet has already been filed in the matters.

In view of the above and having regard to the fact that in most of the cases three/four years has passed since the bail granted to the respondents by the High Court, we are not inclined to interfere with the impugned Orders passed by the said Court at this stage.

The Special Leave Petitions are, accordingly, dismissed.

Pending applications filed in the matters also stand disposed of.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(R.S. NARAYANAN)
COURT MASTER (NSH)