

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41015 of 2021

Arising Out of PS. Case No.-120 Year-2021 Thana- SURSAND District- Sitamarhi

KALAM HUSSAIN Son of Intaj Ansari Resident of village - Machhkothiya,
Ward No.10, P.S.- Madhwapur, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Sursand P.S. Case No. 120/2021, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 72 liters of illicit Nepali saufi wine from the motorcycle of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is



having a clean antecedent and he is languishing in custody since 18.3.2021.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. II cum Special Judge, Excise Act, Sitamarhi in connection with Sursand P.S. Case No. 120 of 2021.

(Mohit Kumar Shah, J)

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