

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43420 of 2021

Arising Out of PS. Case No.-163 Year-2021 Thana- HISUWA District- Nawada

UDAY MISTRY Son of Late Kailu Mistry @ kailash Mistry Resident of
Village - Khanpur, Police Station - Hisua, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, APP

For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-02-2022 Heard.

The petitioner seeks regular bail in connection with Hisua P.S. Case No. 163 of 2021, registered for the offence punishable under section 30(a), 37(c), 41(1) of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 5 liters of illicit country made liquor from the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 30.03.2021. The learned counsel for the petitioner has further submitted that the petitioner has already been suitably punished on account of period of custody already undergone by him.



Per contra, Mr. Murlidhar, 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 parties and taking into account the materials available on record as also considering the period of incarceration, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court of Additional Sessions Judge-2nd -cum-Special Judge, Nawada in connection with Hisua P.S. Case No. 163 of 2021.

(Mohit Kumar Shah, J)

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