

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53361 of 2016

Arising Out of PS.Case No. -319 Year- 2016 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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Rajeshwar Mahto Son of Ramadhar Mahto Resident of village- Beldari,
P.S.- Simraingarg, District- Bara(Nepal)

.... Petitioner/s

Versus

1. The State of Bihar
2. Union of India through Inspector General S.S.B. Frontier Head Quarter,
Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
19.08.2016 in connection with Ghorasahan P.S. Case No. 319 of
2016 registered for the offence punishable under Sections 272 and
273 of the Indian Penal Code and Sections 47 and 54 of the Bihar
Excise (Amendment) Act, 2016.

The prosecution case, as lodged by the officials of the
SSB Department, is that on secret information, they along with
police personnel apprehended the petitioner near Indo-Nepal
border with 18 litres of Nepali Saufi wine. Accordingly, seizure-
list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent, has no criminal history and has been falsely implicated. It is further submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since charge-sheet has already been submitted, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, District East Champaran in connection with Ghorasahan P.S. Case No. 319 of 2016.

(Nilu Agrawal, J.)

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