

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50850 of 2016

Arising Out of PS.Case No. -205 Year- 2016 Thana -RAJAULI District- NAWADA

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Sharwan Kumar Mandal S/o Ramekha @ Ramrekha Mandal Resident of
Village - Dumrawan Harpur, P.S. Gaighat, District - Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Devendra Prasad Singh, Advocate

For the Opposite Party : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-11-2016 Learned counsel for the petitioner is permitted to
make correction in para-1 of the application.

Heard the learned counsel for the petitioner and the
learned APP for the State.

Petitioner is languishing in judicial custody since
27.08.2016 in connection with Rajauli P.S.Case No.205 of 2016
for offence alleged under Section 47(A) of the Bihar Excise
(Amendment) Act.

The prosecution case is that the informant while on
patrolling duty, seized three vehicles including a Scorpio bearing
registration no.JH-10-AL-8793 which was driven by the petitioner
and recovered 107 bottles of English wine.

It has been submitted by the learned counsel for the

petitioner that he is innocent and has falsely been implicated in the aforesaid case. He further submits that he is just the driver of the vehicle owner and the said vehicle was hired by another person for going to Bihar Sharif. He further submits that nothing has been recovered from his conscious possession and that chargesheet has already been submitted, hence there is no chance of tampering with the witnesses. He further submits that petitioner has no criminal history.

However, learned APP for the State opposes the prayer for bail.

From perusal of materials on record, it appears that chargesheet has already been submitted and the petitioner's release from custody would not adversely affect his trial. Thus, in the interest of justice and considering the period of custody, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Nawada in connection with Rajauli P.S. Case No.205 of 2016.

(Nilu Agrawal, J)

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