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SLP(Crl.)No. 1587 OF 2004
ITEM No.54

Court No. 6

SECTION IIA
A/N MATTER

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No. 1587/2004

(From the judgement and order dated 14/10/2003 in BA 5076/03
of The HIGH COURT OF JHARKHAND AT RANCHI)

KAMESHWAR MISHRA

Petitioner (s)

VERSUS

STATE OF JHARKHAND

Respondent (s)

(With Appln(s). for bail and exemption from filing O.T.)
(With Office Report)

Date : 26/04/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s) Mr. Abhijeet Chatterjee, Adv.
Mr. Subodh Kr. Pathak, Adv.
Mr. Dharmendra Kumar Sinha, Adv.

For Respondent (s)

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

Exemption allowed.
Leave granted.
The appeal is disposed of.

(S. Thapar)
PS to Registrar

(V.P. Tyagi)
Court Master

Signed order is placed on the file.
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.....OF 2004
(Arising out of SLP(Crl.)No.1587/2004)

Kameshwar Mishra

Appellant (s)

versus

State of JharkhandRespondent (s)

O R D E R

Leave granted.

Respondent has been served but nobody on its behalf has entered appearance.

The appellant is in custody since August, 2003. The allegation against him is recovery of 5 cartons of illegal foreign liquor. Having regard to the facts and circumstances of the case, we are of the view that the appellant deserves to be released on bail pending decision of the case against him. In this view, we set aside the impugned order and direct that the appellant be released on bail on his furnishing bail bond to the satisfaction of the concerned trial court.

The appeal is disposed of accordingly.

.....J
(Y.K. Sabharwal)

New Delhi,.....J
April 26, 2004(B.N. Agrawal)