

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11180 of 2018

Arising Out of PS.Case No. -25 Year- 2017 Thana -HAZIPUR INDUSTRIAL District-
VAISHALI(HAJIPUR)

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Shiv Kumar Swarnkar @ Shivajee, Son of Govind Prasad Swarnkar,
Resident of Isari Bazar, Giridih, District- Giridih, State- Jharkhand.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganga Prasad Bimal

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 Heard the learned counsel for the petitioner and the

learned counsel for the State.

The petitioner seeks anticipatory bail in connection
with Industrial Area PS case no. 25 of 2017 registered for the
offences punishable under Sections 467, 468, 471, 420 and 414 of
the Indian Penal Code and Section 30 and 47 of the Bihar
Prohibition and Excise Act.

The allegation is regarding recovery of 315 liters of
illicit liquor from the co-accused, namely, Ashok Kumar.

The learned counsel for the petitioner submits that
neither any recovery has been effected from the person of the
petitioner nor the truck from which the recovery has been made
belongs to the petitioner It is submitted that co-accused person,



namely, Raju Kumar, who is similarly situated person, has been granted anticipatory bail by this Court and the petitioner is having a clean antecedent.

Considering the nature of accusation levelled against the petitioners herein as also the fact that prima facie no case is made out under the provisions of the Excise Act, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-II, Vaishali in connection with Industrial Area PS case no. 25 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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