

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30544 of 2023**

Arising Out of PS. Case No.-66 Year-2022 Thana- PARAIYA District- Gaya

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Anirudha Paswan @ Rocky Raj @ Rockey @ Raj Kumar Son of Raghuvansh  
Paswan @ Raghubansh R/o Village - Sahpur Koiri Bigha, P.S.- Pariya, Dist.-  
Gaya, State - Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Akash Shankar

For the Opposite Party/s : Mr.Kanhaiya Kishore

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

2      19-05-2023                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

The petitioner seeks bail in connection with Paraiya  
P.S. Case No. 66 of 2022, registered for the offences  
punishable under Section 30(b), 30(c) and 30(d) of the  
Bihar Prohibition and Excise (Amendment) Act, 2018.

As per allegation, from the house of the petitioner,  
total 920 Kg. Of Mahua and other materials for preparing  
country made liquor and 200 ml country made liquor were  
recovered.

Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in this



case. He further submits that nothing has been recovered from the conscious possession of the petitioner. He also submits that the petitioner was not arrested from the spot and the alleged house does not belong to the petitioner.

He further submits that the petitioner has been languishing in jail since 21.01.2023.

It has also been stated in paragraph no. 3 of the bail petition that apart from the present case, the petitioner is also made accused in 2 other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier for regular bail.

However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of ₹10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ADJ cum Exclusive Special Excise Judge, Court Room No. 2, Gaya, in



connection with Paraiya P.S. Case No. 66 of 2022, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has concealed his criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court



below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(vi) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail-bond will be cancelled by the court below.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

**(Jitendra Kumar, J)**

Amrendra/-

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