

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24040 of 2025

Arising Out of PS. Case No.-231 Year-2024 Thana- SARMERA District- Nalanda

Uttam Kumar @ Uttam Dhadhi, aged about 30 years, Male, S/O Late Ramashish Dhadhi, R/O Village- Chhoti Malwan, P.S- Sarmera, Distt.- Nalanda (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajeev Kumar, Advocate
For the Opposite Party : Mr. Md. Ataur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-05-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sarmera P.S. Case No. 231 of 2024 dated 20.10.2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 167 litres of illicit country made liquor is said to have been recovered near the 'Ahra Khandha Alangpar' situated in the village-'Chhoti Malwan' and 'Govindpur Janki Ghera Alangpar'. It is further alleged that after seeing the police, the petitioner and the other co-accused persons fled away from the place of occurrence.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. No incriminating article has been recovered from his possession. He was not arrested on the spot. His name has surfaced in the present case on the basis of the local residents but the names of the local residents, who have named the petitioner, have not been mentioned in the F.I.R. The petitioner has no concern with the alleged offence. The petitioner has seven criminal antecedents and in five cases he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 01.02.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned IV Additional District and Sessions Judge-cum-Exclusive Special Excise Court-IIInd, Bihar Sharif at Nalanda in connection with Sarmera P.S. Case No. 231 of 2024 with further condition:-

I. The petitioner is directed to remain physically present before the learned court



below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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