

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72703 of 2025

Arising Out of PS. Case No.-238 Year-2025 Thana- SIRDALA District- Nawada

Dharmendra @ Bablu Chaudhary @ Dharmendra Chaudhari S/o Karu
Chaudhary R/o Village- Chapri, P.S.- Sirdalla, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sirdalla P.S. Case No. 238 of 2025 registered for the alleged offences under Sections 30(a) and 41 of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, an information was received about two persons riding their motorcycles with illicit liquor. The police conducted a raid but both persons fled away from the spot leaving behind their motorcycles on seeing the police party. On search of the motorcycles, recovery of 260 liters of country made *mahua* liquor was made. The local *chowkidar* disclosed the name of the petitioner and co-accused who fled away from the spot.

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



case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized motorcycles and he is neither the owner nor the driver of any of the motorcycles in question. The petitioner is not involved in the trade of illicit liquor and is having clean antecedent. The petitioner is in custody since 26.08.2025.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession and also considering the period of custody of the petitioner and his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Nawada/court concerned in connection with Sirdalla P.S. Case No. 238 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

(i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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