

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82922 of 2025

Arising Out of PS. Case No.-483 Year-2023 Thana- JOKIHAT District- Araria

Md Hasim S/o Md Gafoor @ Md. Gaffur Resident of village- Dumrail Ward
No 33, PS - Saharsa, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Akbar Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Jokihat P.S. Case No. 483 of 2023, registered for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The recovery pertains to 205.875 litres of illicit
foreign liquor from the tempo.

4. Learned counsel for the petitioner submits that the
petitioner is the owner of the tempo.

5. Learned counsel for the petitioner further submits
that he is willing to donate Rs. 25,000/- to a charitable
organization without admitting his guilt.

6. Learned APP appearing for the State opposes the



prayer for bail of the petitioner.

7. Considering the aforesaid facts, this application is allowed.

8. Let the petitioner, named above, in the event of his arrest or surrender before the concerned Court below within four weeks from today, be released on bail on furnishing a bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, to the satisfaction of the learned Court of District and Additional Sessions Judge-cum-Exclusive Special Excise Judge-II, Araria / concerned Court below, in connection with Jokihat P.S. Case No. 483 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of BNSS.

9. This is also subject to the condition that the petitioner shall deposit an amount of Rs. 25,000/- in Ram Krishna Mission Ashrama, Katihar, and produce the receipt of the same before the Court below. The bail bonds of the petitioner shall be accepted only after verifying the genuineness of the receipt produced by the petitioner.

10. Before accepting the bail bond of the petitioner, the court below shall verify the antecedents of the petitioner. If the petitioner is found to have a clean antecedent, the bail bonds



shall be accepted. If the petitioner is found to have any criminal antecedents, the bail bonds shall not be accepted by the court below.

(Sandeep Kumar, J)

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