

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6583 of 2026

Arising Out of PS. Case No.-113 Year-2016 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

=====

Jamir Hasan @ Jamil Hasan S/O Bhuteli Miya R/O Village- Bhojpurwa, P.S.-
Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Javed Aslam, Advocate

For the Opposite Party/s : Ms.Asha Kumari, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 02-02-2026 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Trial
No. 2729 of 2025, arising out of Excise P.S. Case No. 113 of
2016, instituted for the offences under Sections 47(a) & 53(a) of
the Bihar Prohibition and Excise Amendment Act, 2016.

3. The prosecution case in brief is that 700.0 ML toddy
has been recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in this
case. The present case is misuse of privilege of bail earlier
granted to the petitioner. Earlier, the petitioner has been granted
bail vide order dated 30.05.2016 by the learned Court below. He
further submits that due to non-appearance of petitioner, the bail



bond of the petitioner got cancelled vide order dated 11.03.2024. On 09.08.2024 non-bailable warrant of arrest has been issued against the petitioner. On 04.02.2025 processes of Section 82 of Cr.P.C. and on 30.02.2025 process under Section 83 of Cr.P.C. was issued. Thereafter, petitioner has surrendered on 16.12.2025. Learned counsel further submitted that the petitioner has not been given any information regarding cancellation of his bail bond by his counsel. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.12.2025 and has no criminal antecedent. Learned counsel for the petitioner further submits that the petitioner undertakes to abide by any conditions imposed by this Court, if released on bail.

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

6. Considering the aforesaid facts and circumstances of the case, as also the period of custody undergone by the petitioner as also the undertaking given by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Trial No. 2729 of 2025, arising out of Excise P.S. Case No. 113 of 2016, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

manish/-

U		T	
---	--	---	--

