

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34073 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- Salmari District- Katihar

MUNAJIR HASAN S/O MD. ISMAILE R/O HARLAGGA, PS- SALMARI,
DISTT- KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 34144 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- Salmari District- Katihar

Md. Sohil @ Md Soyeb S/O Md. Abul @ Abul R/O Village- Harlagga, P.S-
Salmari, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 34073 of 2025)
For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Ms.Gulnar Begum, APP
(In CRIMINAL MISCELLANEOUS No. 34144 of 2025)
For the Petitioner/s : Mr.Bimal Kumar, Advocate
For the Opposite Party/s : Ms.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioners seek bail in connection with
Salmari P.S. Case No. 33 of 2025 registered for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case the police party



identified a Toto and intercepted the same. It is also alleged that on seeing the police two persons tried to flee however they were chased and apprehended who disclosed their names as Munazir Hasan and Md.Sohil @ Md.Soyeb (petitioners). On search 375 litres of country made liquor was recovered from the Toto. The learned counsel for the petitioner (Munazir Hasan) said that the petitioner is driver of the Toto and he has no concern whatsoever with the consignment which was kept in the Toto.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. Learned counsel further submits that the recovery of the said liquor has not been attributed to any specific person. It is lastly submitted that the petitioners have no criminal antecedents and are languishing in custody since 22.03.2025. The learned counsel for the petitioner Md.Sohil @ Md.Soyeb submits that the petitioner has falsely been implicated in this case and he was mere passenger in the said Toto and he has no concern whatsoever with the liquor recovered from the said Toto. Learned counsel for the petitioner has further submitted that the petitioner is having clean antecedent and he is in custody since 22.03.2025 and no recovery has been made from his conscious possession.



5. Learned APP for the State has opposed the prayer for bail of the petitioners and has stated that both the petitioners have been apprehended with a huge quantity of 375 litres of country made liquor.

6. Considering the aforesaid facts and circumstances of the case and taking into account that the petitioners have clean antecedent, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) on each of them with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge Exclusive Excise Court No.2, Katihar in connection with Salmari P.S. Case No. 33 of 2025 subject to the conditions :-

- a. One of the bailors of the petitioner shall be their close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two 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.
- d. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is



found that the petitioner has concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the afore-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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