

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33525 of 2026

Arising Out of PS. Case No.-257 Year-2021 Thana- BAISI District- Purnia

Somitullah @ Tanveer S/o Nizamuddin R/o Dalkola, West Matiyari Ward no. 12, P.S. - Dalkola, Dist. - North Dinajpur(West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Kumar Rajdeep, Adv. Mr. Saroj Kumar Choudhary, Adv.
For the Opposite Party/s :		Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 19-06-2026 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Baisi P.S. Case No. 257 of 2021 registered for offences under Section 272 and 273 of the I.P.C. read with Sections 30(a), 41 and 47 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 630 litres of illicit liquor from a Bolero pick-up. The name of the petitioner has surfaced on the self-inculpatory statement of co-accused Murshid @ Md. Murshid Alam @ Murshid Alam.

4. Learned senior counsel for the petitioner submits that the petitioner is quite innocent and has not committed any offence and has falsely been implicated in different cases at the instance of co-accused Murshid Alam as there is a dispute



between Murshid Alam and the petitioner in the business of maize and the petitioner has falsely been implicated in eleven other cases also. The petitioner undertakes to donate a sum of Rs. 25,000/- (Rupees Twenty-Five Thousand Only) to a charitable organization, without prejudice to his defence and without admitting guilt.

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

6. Considering the submissions made by the learned senior counsel for the petitioner and also the facts that the petitioner was not caught on the spot, this application for anticipatory bail stands allowed.

7. Accordingly, let the petitioner, above-named, in the event of arrest or surrender within four weeks from today in the Court below, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Baisi P.S. Case No. 257 of 2021, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., also with further conditions that:-

(i) The petitioner shall deposit a sum of Rs. 25,000/- (Rupees Twenty-Five



Thousand Only) with Ramakrishna Math, Bhatta Bazar, Purnea, Bihar 854301 and shall produce a valid receipt thereof before the court below. The bail bonds shall be accepted only after verification of the genuineness of the said receipt.

(ii) The petitioner shall mark his attendance at Dinajpur (West Bengal) Police Station on first Sunday of each month. In the event of default, the bail bonds shall be liable to be cancelled.

(iii) The petitioner shall appear in the trial regularly either personally or through his lawyer and shall cooperate in the trial and non-cooperation in the trial shall result in cancellation of the bail bond of the petitioner.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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