

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12763 of 2026

Arising Out of PS. Case No.-727 Year-2021 Thana- SARAIYA District- Muzaffarpur

Rakesh Kumar Tiwari @ Mantoon Tiwari @ Mantun Baba Son of Subodh Tiwari Resident of Village- Ratti Bhagwanpur, P.S.- Vaishali, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Pandey- Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 03-04-2026 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The Petitioner Seeks Bail in a case registered for the offences Punishable Under Sections 272, 273, 284, 328, 307, 302, 34, 120B of the Indian Penal Code and 30(A), 30(C), 37(B) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of three cases out of which, two cases are under the Excise Act and allegation is of recovery of empty bottles of liquor from house of Dhiresh Kumar.
4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and even alleged



recovery is from a place, which does not belong to the petitioner and petitioner has no concern or relation with Dhiresh, but then, during course of investigation, he was apprehended and is in custody since 22.12.2025. It is further submitted that charge-sheet has been submitted. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically without holding a proper investigation.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Saraiya P. S. Case No.727 of 2021.

7. The application stands allowed.

(Satyavrat Verma, J)

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