

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13235 of 2026

Arising Out of PS. Case No.-728 Year-2021 Thana- SARAIYA District- Muzaffarpur

Rakesh Kumar Tiwari @ Mantun Tiwari @ Mantun Baba S/o- Subodh Tiwari
R/v- Ratti Bhagwanpur Ps- Vaishali Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Pandey

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-04-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. 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 IPC and Sections 30(a), 37(b), 33, 36 and
34 of the Bihar Excise Act.

3. 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 is in custody since 9-1-2026 and
the informant alleges that in a feast, spurious liquor was served
in which one person died and 5-6 persons fell seriously ill.

4. Learned counsel for the petitioner submits that the
case is of the year 2021 and petitioner is not named in the FIR
and his name transpired in the case after four years, i.e., in the



year 2025. It is next submitted that Pankaj and Pawan, who are named in the FIR, had approached this Court seeking anticipatory bail by filing Cr. Misc No. 52887 of 2022 and the same came to be allowed by an order dated 11-11-2022 passed by a learned Co-ordinate Bench. It is next submitted that if privilege of regular bail is granted to the petitioner, the petitioner will not abscond rather will co-operate in the trial to prove his innocence.

5. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the submission made by learned counsel for the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Saraiya P.S. Case No. 728 of 2021.

(Satyavrat Verma, J)

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