

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22306 of 2026

Arising Out of PS. Case No.-43 Year-2026 Thana- HISUWA District- Nawada

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1. Rahul Kumar S/O Sanjay Tamoli R/O Village - Brahmpichas, Ward no- 15, P.S - Hisua, Dist - Nawada.
 2. Moti Tamoli @ Tinku Kumar S/O Bhagwan Tamoli R/O Village - Brahmpichas, Ward no- 15, P.S - Hisua, Dist - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Ms.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-04-2026 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in a case registered for the offences punishable under Section 30(a) of the Excise Act.
3. The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of two cases under the Excise Act and petitioner no.2 has antecedent of three cases under the Excise Act and allegation is of recovery of 33 litres of liquor from a ruin near the house of the petitioners.
4. The learned counsel for the petitioners submits



that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even alleged recovery is from a place, which does not belong to the petitioners, but then, they came to be implicated at the instance of Chaukidar with whom they are on an inimical term. It is next submitted that police in majority of cases implicating innocent persons either at the behest of Chaukidar, local person, secret information and confessional statement in a mechanical manner without holding a proper investigation. It is further submitted that if Chaukidar was aware of the involvement of the petitioners in the occurrence, then why he did not inform the police prior to institution of the present F.I.R., which casts an aspersion on the case of the prosecution. It is also submitted that petitioners will not abscond rather will cooperate in the trial to prove their innocence and petitioners are in custody since 28.02.2026.

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

6. Considering the submissions made the learned counsel appearing on behalf of the petitioners, the petitioners, above-named, are directed to be released on bail



on their furnishing bail-bonds in the sum of Rs.5,000/-
(Rupees Five Thousand) each with two sureties of the like
amount each to the satisfaction of learned Court below
where the case is pending in connection with Hisua P. S.
Case No.43 of 2026.

7. The application stands allowed.

(Satyavrat Verma, J)

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