

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13154 of 2022**

Arising Out of PS. Case No.-263 Year-2021 Thana- MAHARAJGANJ District- Siwan

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ROSHAN ALLI @ MANTRI @ ROSHAN ALI @ MANTRI Son of  
Mainudin Alli Resident of Village- Katwar, P.S.- Daroda, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                                                                     |
|--------------------------|---|-------------------------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Ayush Kumar<br>Mr. Dr. Ranjeet Kumar<br>Mr. Kanish Kaustabh<br>Mr. Shikhar Mani |
| For the Opposite Party/s | : | Mr. Archana Sinha                                                                   |

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      18-07-2022                      Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under Sections 302 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

As per the F.I.R, allegation against the petitioner is to threaten the informant. The petitioner is also alleged to have dealt in the land with other co-accused persons. Co-accused Keshav Raj @ Avinash Tiwari fired from pistol on the head and



neck of Devar of the informant as a result whereof he died on the spot.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated at para 3 of the bail petition. The co-ordinate Bench has already granted bail to the co-accused in vide order dated 16.06.2022 passed in Cr. Misc. No. 10954 of 2022, who was present at the spot but the petitioner was not present at the spot. The petitioner is in custody since 03.11.2021. There is no allegation of firing against the petitioner.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, in connection with Maharajganj P.S. Case No. 263 of 2021, with following conditions:-

1. The petitioner shall not tamper the witness. If he is



found involved in tampering the evidences, the prosecution will be at liberty to move for cancellation of this bail.

2. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner will liable to be cancelled.

The application stands allowed.

**(Chandra Prakash Singh, J)**

atul/-

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