

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76840 of 2024

Arising Out of PS. Case No.-214 Year-2024 Thana- DURAULI District- Siwan

Manauar @ Manauar Ansari Son of Nijamuddin Ansari R/O Kanaula, P.S.-
Darauli, Dist.- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 29-10-2024 Heard the parties.

2. The petitioner is in custody in connection with Darauli P.S. Case No. 214 of 2024 for the offence punishable under sections 103, 109 and 3(5) of the B.N.S. Act and Section 27 of the Arms Act lodged on 15.07.2024 by the informant, Osiyar Ansari.

3. As per the prosecution story, the informant alleged that due to land dispute, the accused persons attacked his site and on the order of this petitioner, Tasaur @ Golu opened fire causing injury on the thigh, shoulder as also mouth. His son also received injury on his head and stomach, he was rushed to the hospital but was declared dead. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that an unfortunate incident took place, main allegation is against



Tasaur @ Golu of opening fire, he has been implicated as an order giver for which, he has remained in custody since 17.07.2024 (paragraph-12 of the petition) and further, have no criminal antecedent.

5. Learned APP opposes the prayer for bail submitting that on his order, the accused Tasaur @ Golu opened fire.

6. Though there is allegation of order giver against him, the main assailant is Tasaur @ Golu who opened fire causing injury to the informant and death of the son, this petitioner is in custody since 17.07.2024 and do not have any criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Siwan, in connection with Darauli P.S. Case No. 214 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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