

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66122 of 2025

Arising Out of PS. Case No.-439 Year-2024 Thana- CHANDAUTI District- Gaya

Manouwar Hussain @ Manouwar Khan, aged about 39 years, Male, Son of Nooruddin Haider Khan, Resident of Village- Kadirganj Malhari, P.S.- Imamganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Chandauti P.S. Case No. 439 of 2024 instituted for the offences punishable under Sections 61(2) and 62 of the BNS and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, during patrolling, three persons apprehended, on suspicion they disclosed their names as Md. Talib Khan, Sudhir Yadav and Manouwar Hussain @ Munouwar Khan (petitioner). On search, one loaded country made pistol and two live cartridges were recovered from the possession of the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that only



because of criminal antecedents, he has been implicated in this case. Petitioner is in custody since 19.11.2024.

5. Learned APP for the State opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned District and Additional Sessions Judge-XVI, Gaya dated 16.07.2025, it appears that on search one automatic desi pistol along with four alive cartridges has been recovered from the possession of the petitioner and his name has been surfaced only on account of criminal antecedent. Similarly situated co-accused persons namely Md. Talib Khan and Sudhir Yadav have been granted bail by a Co-ordinate Benches of this Court in Cr. Misc. Nos. 25821 of 2025 and 55473 of 2025 vide orders dated 02.05.2025 and 12.08.2025 respectively, so considering all these aspects of the case and submissions of learned counsel for the petitioner, I am inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Chandauti P.S. Case No. 439 of 2024, subject to the 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 one year to mark his attendance.

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses to 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.

(Ramesh Chand Malviya, J)

Anand Kr.

U		T	
---	--	---	--

