

**In the Court of Motish Kumar Singh Principal Sessions Judge, Siwan**  
**Bail Petition No. 254/2026**  
Mairwa P.S Case No. 79/2019

Dhoni Tiwari@ Shiv Prakash Tiwari S/o-Om Praksh Tiwari.....Petitioner  
Versus  
The State of Bihar.....Opposite Party.

19.03.2026

**ORDER**

1. Learned counsel for the petitioner moves present bail application filed on behalf of the accused-petitioner namely **Dhoni Tiwari@ Shiv Prakash Tiwari**, who is in judicial custody since 11.02.2026 in connection with Mairwa P.S. Case No. 79/2019 registered u/s 307, 120(B)/34 of IPC & 27 Arms Act.
2. Learned counsel for the petitioner submits that petitioner is innocent and he has been falsely implicated in this case with an ulterior motive. Learned counsel further submits that no bail petition either anticipatory or regular has ever been made on behalf of the petitioner either before this learned Court or before any other Superior Court. There is three criminal antecedent against the petitioner and all cases petitioner has already been granted bail. Learned counsel further submits that the name of petitioner transpired from the confessional statement of petitioner himself. Except the confessional statement no any iota of evidence against the petitioner. The petitioner is rotting in the judicial custody since 11.02.2026. There is no chance of his absconding of tampering with the prosecution evidence. Thus, learned counsel prays that petitioner may be enlarged on bail.
3. On the other hand, learned P.P vehemently opposed the prayer of bail.
4. Heard. Perused the record.
5. From perusal of the record, it transpires that an F.I.R in this case was registered *vide* Mairwa P.S Case No. 79/2019 dated 03.04.2019 u/s 307, 120(B)/34 of IPC and 27 of Arms Act against four named accused-persons and two unknown persons. As per the fardbeyan of Tribhuwan Kumar Tiwari recorded by S.I. Pramod Kumar Singh of Mairwa P.S at 11:45 A.M on 02.04.2019 at Paras Hospital, Patna. The prosecution case, in short, is that on 31.03.2019 at about 5:30 A.M, he went to Committee Hall to call his servant and when he returned from Committee Hall, he saw his brother Vinod Tiwari and Manindra Mishra of village Mushehri, P.S-Kateya, Distt- Gopalganj were also sitting at his darwaza and he also started talking

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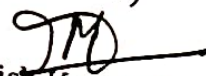
with them, in the meantime, five persons riding on two motorcycles came. One motorcycle was driving by Sudhir Jaiswal and Yogendra Yadav was sitting on his motorcycle and on second motorcycle Rajan Jaiswal and one unknown person was sitting on his motorcycle. Yogendra Yadav was holding pistol and Sudhir ordered to kill. On his order, Yogendra Yadav shot fire upon him and he sustained bullet injury on his left side of the stomach and he fell down. It is further alleged that Arun Jaiswal and another person was also fired upon him, but he fled inside his house, all the accused-persons threatened and they told they are men of Satish Pandey.

6. As per the F.I.R Yogendra Yadav shot at the informant Tribhuwan Tiwari in his left side of the stomach. From perusal of the record, it appears that petitioner is not named in the FIR, but his name surfaced in this case on his self-confessional statement, and this petitioner was neither at the place of the occurrence nor he made any overt act. No T.I.P has been conducted by the police. There is no other connecting material in the record against this petitioner. Earlier, co-accused persons have been enlarged on bail by this Court *vide* order dated 17.01.2020 and 19.03.2021 in A.B.P No. 2536/2019 and B.P No. 209/2021 respectively.

7. From perusal of Para No. 197 of the case diary, it appears that petitioner bears clean criminal antecedent, but as per supplementary petition filed on behalf of the petitioner, three criminal cases are registered against the petitioner and in all the cases, the petitioner has been granted bail. Moreover, petitioner is in judicial custody since 11.02.2026.

8. Considering aforesaid fact, the present bail application is **allowed**. The petitioner is directed to be released immediately on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the Court below.

(Dictated)



(Motish Kumar Singh)  
Sessions Judge, Siwan.  
19.03.2026