

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8987 of 2016

Arising Out of PS.Case No. -156 Year- 2014 Thana -NAUBATPUR District- PATNA

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1. Ashok Nonia Son of Late Rama Noniya,
2. Dhananjay Nonia Son of Late Triyugi Nonia, Both are resident of
village - Faridpura, P.S. - Naubatpur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1 (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 25-04-2016 Heard learned counsel for the petitioners, learned

A.P.P. representing the State and the learned counsel for the

informant.

Petitioners seek bail in connection with Naubatpur P.S.

Case No. 156 of 2014 registered for the offences punishable under

Section 302/34 of the Indian Penal Code and Section 27 of the

Arms Act.

Allegedly, the petitioners and other co-accused caught

Chotan Nonia, co-accused Kariman Noniya gave order and then

K.D. Nonia gave *Fasuli* blow on the neck of Chotan Nonia,

causing his death.

Submission is of false implication and that the

petitioners are said to be member of un-lawful assembly and similarly situated co-accused Dasai Nonia has been allowed bail and petitioners are suffering in custody since 26.09.2015, also deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that the petitioners were also involved in the crime.

In the facts and circumstances stated above, the petitioners, above named, are also directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri. Kumar Mahvendra, learned Judicial Magistrate 1st Class, Danapur Patna in connection with Naubatpur P.S. Case No. 156 of 2014, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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