

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34069 of 2016

Arising Out of PS.Case No. -505 Year- 2014 Thana -NAUBATPUR District- PATNA

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Naresh Noniya, Son of Late Kuisun Noniya, Resident of Village Ajaman
Bathani P.S. Navbatpur, District-Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 26-08-2016

Heard leaned counsel for the petitioner and the
leaned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Naubatpur P.S. Case No. 505 of 2014, registered under
Sections 147, 148, 149, 323, 324, 307, 302, 379 and 436 of the
Indian Penal Code, pending in the court of the Judicial
Magistrate, 1st Class, Danapur.

The accusation is that 20 persons named in the F.I.R.,
including the petitioner, variously armed with dangerous
weapons, entered in the house of informant and asked him to
withdraw the criminal case lodged by him. Thereafter, Binod
Nonia caused injury through iron rod at the head of the father of
the informant, namely, Shiv Dayal Prasad and Bullu Nonia
assaulted him with Fasuli. Whereas, Surendra Nonia and Bhim
Noniya broke the hand of the father of the informant and Lutu

Nonia and Pappu Nonia assaulted the father of the informant by means of Khanti. Thereafter, Ravi Nonia, Jitendra Nonia and Naresh Nonia (Petitioner) assaulted the father of the informant through Lathi and Danda. The accused persons also looted the household articles. Thereafter, the father of the informant died.

Learned counsel for the petitioner submits that the petitioner is the uncle of the informant and due to land dispute, the petitioner has falsely been implicated in this case.

Learned A.P.P. for the State opposes the prayer of bail and submits that petitioner is named in the F.I.R. and there is direct allegation against the petitioner of assaulting the deceased by means of lathi and danda.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial Court within six weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J.)

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