

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85925 of 2019**

Arising Out of PS. Case No.-62 Year-2019 Thana- SHEIKHOPUR SARAI District-  
Sheikhpura

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Manoj Noniya @ Manoj Kumar S/o Mahendra Noniya R/o village- Ambari,  
P.S.- Shekhopur Sarai, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Md. Musowir, Advocate  
For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      25-02-2020                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection  
with Shekhopur Sarai Case No. 62 of 2019 registered for the  
offences punishable under Sections 341, 323, 337, 307, 504 and  
34 of the Indian Penal Code.

The allegation against the petitioner as per FIR is that  
when the informant was at his home his elder brother along with  
the petitioner and other accused persons arrived at the residence  
of the informant and started lifting the soil from his house and  
when the informant protested, the accused persons along with  
the petitioner abused and assaulted him. It is further alleged that  
when the son of the informant came to rescue the informant, he



was assaulted by the petitioner on his head by spade.

Learned counsel appearing on behalf of petitioner submits that both the parties are close relatives. There is case and counter case between the parties inasmuch as the side of the petitioner also lodged Shekhopur Sarai P.S. Case No. 66 of 2019. Learned counsel for the petitioner, referring to Annexure 2 which is injury report of the son of the informant, submits that with regard to the injury no. 1, the Doctor has reserved his opinion and injury no. 2 is simple in nature.

Having heard learned counsel for the parties and taking into consideration the fact that both the parties are close relatives and there is case and counter case between the parties, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1<sup>st</sup>, Sheikhpura, in connection with Shekhopur Sarai P.S. Case No. 62 of 2019, subject to the conditions as laid down under Section 438(2) of



Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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