

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM THE CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.25431 of 2021**

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

Kariman Noniya S/O Dashai Noniya @ Dasai Noniya Resident Of Village
Faridpura, P.S-Naubatpur, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar Sinha,Advocate
For the State	:	Mr.Md.Fahimuddin,APP
For the Informant	:	Mr.Nawal Kishore Prasad,Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-09-2021 Heard learned counsel for the petitioner, learned
counsel for the informant and Mr. Md. Fahimuddin, learned APP
for the State.

The petitioner in the present case is seeking regular
bail in connection with Naubatpur P.S. Case No. 156 of 2014
registered for the offences punishable under Sections 302/34 of
the Indian Penal Code and Section 27 of Arms Act.

Learned counsel for the petitioner submits that as per
the prosecution allegation, this petitioner is said to have
exhorted the main accused K.D. Noniya to slit the throat of the
deceased Chhotan Noniya. It is submitted that K.D. Noniya has
been granted bail by a learned Co-ordinate Bench of this Court
vide order dated 08.11.2017 passed in Cri. Misc. No. 35814 of
2017, thus, the petitioner deserves privilege of bail.

As against the aforesaid submission, learned counsel for the informant submits that this petitioner has concealed his criminal antecedents in paragraph '3' of the present petition. In fact he has been brought on remand in the present case of the year 2014 after his arrest in the another case and in connection with the present case, he is in custody only since 28.08.2020. It is, thus, submitted that the petitioner has not only concealed his criminal antecedents but his entire conduct in the present case has delayed the trial itself.

Learned APP for the State has also opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case wherein it is apparent on the face of the impugned order that the petitioner has been brought in judicial custody in this case on 28.08.2020, apparently he was evading his arrest for almost 6 years, this Court is not inclined to release the petitioner on bail at this stage. The prayer for regular bail of the petitioner is, thus, refused.

Considering the submission of learned counsel for the informant that the petitioner has concealed his criminal antecedent, this Court calls for a report as to the criminal antecedents of the petitioner from the Superintendent of Police,

Patna.

Let such criminal antecedent report be placed before
this Court.

List this matter after three weeks i.e. on 21st October,
2021 at the top of the list.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.