

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 24821 of 2022

Arising Out of PS. Case No.-359 Year-2019 Thana- RANIGANJ District- Araria

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Sujeet Nonia @ Ram Krishna Kumar, Son of Sukkal Nonia @ Sukkan Nonia
Resident of Village - Belgachhi, Ward No.- 1, P.S.- Raniganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 12-10-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Raniganj Police Station Case No. 359 of 2019, registered for

the offences punishable under Sections 302, 201 and 34 of

the Indian Penal Code.

The prosecution case as emerging from the F.I.R is

that at 8 o' clock on 08.10.2019, the villagers have informed

the informant that his sister has been killed by some persons

by setting her ablaze. The informant has named 14 persons

along with 20 -25 unknown persons.

The learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. He further submits that informant is not an eye witness and the name of the petitioner only from hearsay. He also submits that similarly situated co-accused Subodh Kumar Nonia, Hari Naryan Nonia, Binod Nonia and Sanjay Chauhan @ Sanjan Nonia have been enlarged on bail vide order dated 05.06.2020, 08.06.2020, 06.07.2020 and 21.12.2020, passed in Cr. Misc No. 9282 of 2020, Cr. Misc No. 8105 of 2020, Cr. Misc No. 8329 of 2020 and Cr. Misc No. 34507 of 2020, respectively.

The petitioner has been languishing in jail since 21.02.2022 i.e. for about eight months.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has no criminal antecedent.

However, the learned APP for the State vehemently opposes the prayer for bail.



Considering the aforesaid facts and circumstance, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. Chief Judicial Magistrate 6th, Araria in connection with Raniganj Police Station Case No. 359 of 2019, **after framing of charge, if not already framed**, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.



(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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