

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28904 of 2022

Arising Out of PS. Case No.-134 Year-2018 Thana- SAHPUR District- Patna

KARIMAN NONIYA, aged about 40 years, male son of Dashai Noniya @
Dasai Noniya, resident of village- Faridpura, P.S. Naubatpur, District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh,

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 24-08-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 120B of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated by the informant that he received information through his brother's wife that his brother who had started from his home was shot dead by the eight relatives/accused persons including the petitioner herein because of land dispute between the parties. It is further stated that his brother was making an attempt to get the dispute settled.

It is submitted by learned counsel for the petitioner that from perusal of the FIR itself it would transpire that the informant is not an eye witness to the occurrence. The petitioner



has been falsely implicated in the case. No material has transpired in course of investigation to connect the petitioner with the alleged crime. The allegations are general and omnibus in nature. The case of the petitioner stands on a similar footing to that of coaccused Prakash Noniya who has been enlarged on bail vide order dated 18.9.2018 (Annexure-3). The petitioner is in custody since 21.10.2020 and investigation in the case has concluded.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the general and omnibus allegation against the petitioner, the petitioner having remained in custody for over 1 year 9 months and grant of bail to coaccused Prakash Noniya, the Court directs the petitioner to be enlarged on bail in connection with S.T. No.578 of 2021 arising out of Shahpur P.S. Case no. 134 of 2018 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-V, Danapur, District-Patna.

(Partha Sarthy, J)

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