

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.219 of 2021**

Arising Out of PS. Case No.-66 Year-2019 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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1. BINESHWAR NONIA @ VINESWAR NONIA @ VINDESHWAR NONIYA Son of Jagarnath Noniya, Resident Of Village – Ambari, P.S. - Shekhopur Sarai, District - Sheikhpura.
 2. Rajkumar Nonia Son of Bineshwar Nonia @ Vineswar Nonia, Resident Of Village - Ambari, P.S.- Sheikhopur Sarai, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Rashmi Bharti Kavita Singh
For the Opposite Party/s	:	Mr. Vinod Shanker Modi Mr. Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 28-03-2022 The learned counsel for the petitioners is directed to
remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well
as Mr. Shailendra Kumar, the learned Additional Public
Prosecutor for the State.

The petitioners apprehend their arrest in connection with
Sheikhopur Sarai P.S. Case No. 66 of 2019 registered for offence
punishable under sections 147, 148, 149, 341, 323, 324, 307, 379
and 504 of the Indian Penal Code.

As per allegation, some altercation took place
between the parties due to excavation of the land. It is alleged



that petitioner no. 1, after snatching axe from the son of the informant, inflicted on her person. The allegation against petitioner no. 2 is that he assaulted Manoj Kumar, son of the informant with Hasuli.

The learned counsel for the petitioners has submitted that for the same day occurrence, the petitioners' side have also lodged a criminal case against the informant side. The members of the petitioners' side have also sustained injuries. He has also submitted that there is delay in lodging the FIR.

There is allegation against petitioner no. 1 that he inflicted axe blow on the head of the informant, Lakhiya Devi, who sustained grievous injuries, as such, he is not entitled for the privilege of anticipatory bail. Accordingly, the prayer for anticipatory bail with respect to **petitioner no. 1 is rejected.**

So far as petitioner no. 2, Rajkumar Nonia is concerned, as per allegation, he assaulted Manoj Kumar, who sustained simple injuries.

Considering the above mentioned facts and circumstances, **let petitioner no 2, Rajkumar Nonia** in the event of his arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Sheikhpura in connection



with Sheikhopur Sarai P.S. Case No. 66 of 2019, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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