

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4626 of 2025

Arising Out of PS. Case No.-55 Year-2002 Thana- DHANSOI District- Buxar

Laxman Noniya @ Chouhan @ Lakshman Chauhan Son of Late Sheo Bhaju
Chouhan Village- Parasada PS -Dhansoin District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 07-04-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Dhansoi P.S. Case No. 55 of 2002 (ST No. 261/23) instituted for
the offences under Sections 147, 148, 149, 324, 307, 302, 120B
of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution case, in short, is that one Chhathu
Nonia and Murari Nonia was shot dead by 5-6 miscreants.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case due to previous land dispute. Learned counsel for
the petitioner submitted that general and omnibus allegation has
been made against the petitioner. No specific overt act is alleged
against the petitioner. It has been submitted on behalf of the



petitioner that the petitioner is in custody since 10.01.2024 and has two criminal antecedents. The co-accused person has already been granted bail by this Court vide order dated 13.02.2024 passed in Cr. Misc. No. 70812 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further referring to the impugned order submitted that the charge-sheet has been submitted against the petitioner showing him absconder and vide order dated 24.06.2003, cognizance has also been taken but the other accused remain absent and the case could not be committed due to their absence for a continuous period of twenty-one years. Learned APP further submitted that as per paragraph no. 81 of the case diary, the co-accused has specifically narrated the manner in which the accused persons including the petitioner committed the murder of the deceased which is further corroborated by the post-mortem report. Learned APP, therefore, prays that petitioner may not be released on bail.

6. Considering the aforesaid facts and circumstances of the case, as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing***



of charge, if not already framed, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhansoi P.S. Case No. 55 of 2002 (ST No. 261/23), subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(IV) The petitioner shall not leave the territorial jurisdiction of the learned court below without taking prior permission from the learned Court below. In case the petitioner violates the aforesaid condition, the prosecution will be at liberty to move for cancellation of bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

