

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36693 of 2025

Arising Out of PS. Case No.-178 Year-2024 Thana- TETERHAT District- Lakhisarai

Mahendra Noniya, Male, aged about 33 years, Son of- Shibu Noniya,
Resident of Village- Saban Khairwa, P.S- Tetarhat, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-06-2025 Heard Mr. Krishna Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Mohammad

Sufyan , learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Tetarhat P.S. Case No. 178 of 2024, registered for the
offence punishable under Sections 191(2), 191(3), 190, 126(2),
115(2), 329(4), 109(1), 118(1), 352, 351(2) and 74 of the BNS.

3. As per the allegation made in the FIR, petitioner
along with other co-accused persons had entered into the house
of the informant and had assaulted him and his family member.
Specific allegation against the petitioner is that he had outraged
the modesty of the wife of the informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and have falsely



been implicated in the present case. He further submitted that there is land dispute between the parties and petitioner side had lodged a Case No. 690M/2024 before the S.D.O., Lakhisarai, due to which, an altercation took place between the parties and in course of the same, the petitioner side may have cause some injury to the informant side, without intention. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that there is land dispute between the parties and petitioner side had lodged a Case No. 690M/2024 before the S.D.O., Lakhisarai, due to which, an altercation took place between the parties and in course of the same, the petitioner side may have cause some injury to the informant side, without intention. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/-



(Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Lakhisarai or its successor court, in connection with Tetarhat P.S. Case No. 178 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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