

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83341 of 2024

Arising Out of PS. Case No.-584 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

1. Gopal Noniya S/O- Late Harihar Noniya Village- Mahuari Ps-Sonhan Dist-Kaimur
2. Raju Noniya S/o- Late Harihar Noniya Village- Mahuari Ps-Sonhan Dist-Kaimur
3. Ravi Noniya S/o- Late Harihar Noniya Village- Mahuari Ps-Sonhan Dist-Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan, Adv.

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

Mr.Uday Pratap Singh, Adv.for Informant

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-01-2025 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 191(2), 191(3), 190, 115(2), 117(2), 109(1), 303(2), 76 of the Bhartiya Nagrik Suraksha Sanhita, 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, on the alleged date and time of occurrence, all the F.I.R. named accused persons including these petitioners and four unknown persons came at the house of informant, armed with deadly weapons, and it is alleged that petitioner no. 1 hit over the head of Rajgrahi Noniya



with the butt of rifle, whereas petitioner nos. 2 & 3 assaulted Krishna Devi with lathi and garasa, due to which, she sustained injury.

4. Learned counsel for the petitioners submits that petitioners and informant are own *Gotiya* and the present case is outcome of the previous land dispute between the parties. Injury, allegedly caused by petitioner no. 1, is simple in nature. He further submits that during course of investigation, in paragraph 15 of the case diary, the injured Krishna Devi has stated that it was co-accused Vikinti Devi, W/o Ravi Noniya, who assaulted on her head with *Garasa*, and as such, the allegation with regard to petitioner no. 2 & 3 is falsified. There is case and counter case.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposes the prayer for anticipatory bail of petitioners.

6. However, considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioners is allowed.

7. Let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten



thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 584 of 2024, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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