

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90213 of 2025

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

Upendra Noniya S/o- Shibu Noniya R/v- SAwan Khairwa Ps- Tatarhat Dist-
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 : Ms.Sharda Kumari, A.P.P.

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

ORAL ORDER

3 11-03-2026 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Tatarhat P.S. Case No. 178 of 2024 instituted for the offences under Sections 191(2), 191(3), 190, 126(2), 115(2), 329(4), 109(1), 118(1), 352, 351(2), 74 of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that the petitioner along with other accused persons, armed with deadly weapons, assaulted the informant with intention to kill him, as a result of which he sustained serious head injuries. It is further alleged that when the informant's family members intervened, they too, were brutally assaulted by the accused persons.

4. Learned counsel for the petitioner submitted that



the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. The only specific allegation against the petitioner is that he assaulted on the informant's head due to which he sustained grievous injuries. Learned counsel further submitted that, as a matter of fact, there is admitted land dispute between the parties. Chargesheet has been submitted in this case. Learned counsel for the petitioner further submits that other co-accused has been granted bail by this Bench vide order dated 29.07.2025 passed in Cr. Misc. No. 24344 of 2025. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.10.2025 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, as also claim based on parity and considering the 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 Tatarhat P.S. Case No. 178 of 2024, subject to the following conditions:

(I) One of the bailors shall be the petitioner’s own or close member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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