

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12386 of 2023

Arising Out of PS. Case No.-692 Year-2022 Thana- TURKAULIYA District- East
Champaran

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1. SHAHID S/O NAIMUL HODA Resident of Village- Janerwa, P.S.-
Banjaria, District- East Champaran.
 2. SHAKIR @ SHAKIR HUSSAIN S/O NAIMUL HODA Resident of Village-
Janerwa, P.S.- Banjaria, District- East Champaran.
 3. SHAHNAWAJ @ SHAHNAWAJ ALAM S/O NAIMUL HODA Resident of
Village- Janerwa, P.S.- Banjaria, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection
with Turkauliya (Banjariya) P.S. Case No.692 of 2022, registered
for the offences punishable under Sections 447, 341, 323, 324,
325, 307, 379, 504 and 506/34 of the Indian Penal Code.

It is alleged that all the FIR named accused persons
including these petitioners in furtherance of common intention
have assaulted the informant and also snatched cash Rs.5000/-
from the informant.

Learned counsel for the petitioners submits that
petitioners are innocent and have falsely been implicated in the



present case. It is submitted that the petitioners no.1 and 3 have got no criminal antecedent and petitioner no.2 has got one criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that no specific overt act is alleged against the petitioners. The specific allegation is against co-accused, Hamid who assaulted the informant by means of iron rod causing grievous injury.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

Considering the fact that no specific overt act is alleged against the petitioners, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Turkauliya (Banjariya) P.S. Case No.692 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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