

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56381 of 2023**

Arising Out of PS. Case No.-300 Year-2023 Thana- TURKAULIYA District- East
Champanan

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1. Nurul Haque, aged about 62 years, Male, Son of Late Sheikh Salim, Resident of Village- Kawalpur, P.S.- Turkauliya, Dist- East Champaran Bihar.
 2. Salauddin @ Salauddin Alam @ Munna, aged about 31 years, Male, Son of Sheikh Amarul, Resident of Village- Kawalpur, P.S.- Turkauliya, Dist- East Champaran, Bihar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Md. Shadab Alam Wazdi, Advocate
For the Informant	:	Mr. Md. Nafisuzzoha, Mrs. Rabia Gulnaz and Shabina Talat, Advocates
For the State	:	Mr. Vinod Shanker Modi, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 07-12-2023 Learned counsel for the petitioners is permitted to
remove the defect(s), as pointed out by the office, if any,
within a period of three weeks from today.

2. Heard learned counsel for the petitioners,
learned counsel for the informant and learned Additional
Public Prosecutor for the State.



3. The petitioners are apprehending their arrest in connection with Turkauliya P.S. Case No. 300 of 2023 dated 08.03.2023 registered for the offences punishable under Sections 147, 341, 323, 308, 379, 427, 504 and 506 of the I.P.C.

4. As per the prosecution case, the petitioners and other accused persons are alleged to have come with Lathi, Danda and bricks and on the order of Nurul Haque (petitioner no. 1), the co-accused, Seraj @ Pappu assaulted with Lathi on the informant's head and Salauddin @ Salauddin Alam @ Munna (petitioner no. 2) assaulted with bricks on the informant's mouth due to which his lip was cut and teeth was damaged.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. There is case and counter case between the parties. It is submitted that from perusal of the injury report, it appears that the informant's injury was found to be simple by the doctor, annexed as Annexure-3 to the bail application. The petitioners have been made accused in the present case at the instance of some



influential persons who have inimical terms with the family of the petitioners. The petitioner no. 1 has six criminal antecedents and the petitioner no. 2 has one criminal antecedent as stated in paragraph no. 3 of the supplementary affidavit filed on behalf of the petitioners as well as in paragraph no. 5 of the counter affidavit filed on behalf of the informant.

6. Learned A.P.P. for the State and learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the injury being simple in nature, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari, East Champaran, in connection with Turkauliya P.S. Case No. 300 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.



8. The application stands allowed.

(Chandra Prakash Singh, J)

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