IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36860 of 2026

Arising Out of PS. Case No.-82 Year-2026 Thana- AAJAM NAGAR District- Katihar

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Md. Noor Salam @ Md. Nur Salam @ Noor Salam Son of Farooque @ Md. Faruk R/o village - Dhapra, P.S.- Azamnagar, Dist.- Katihar.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Md Qumrul Hoda, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 20-08-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Azamnagar P.S. Case No. 82 of 2026 for the offence under sections 126(2), 115(2), 76, 109, 118(1), 352, 351(2), 303(2) and 3(5) of the BNS lodged on 26.02.2026 by the informant, Kohinoor Khatoon.

3. As per the prosecution story, the allegation is that on the ground of land dispute, first the abuse and then the assault took place. The petitioner alleged to have given '*kudal'* blow on the head of the informant's husband causing injury. He was shifted to the hospital which followed the FIR.

4. Earlier, the Coordinate Bench had called for the case diary as also the injury report and the first injury report of the Health Center, Azamnagar, Katihar shows that the injury on

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the scalp has been found to be 7 inch x 2 inch deep. He was shifted to Sadar Hospital, Katihar thereafter.

5. Learned counsel for the petitioner submits that subsequently it has been found that the injury is simple in nature.

6. Learned APP, Mr. Bharat Bhushan, on the other hand, opposes the prayer submitting that it is unfortunate that an injury that has been recorded as 7 inch x 2 inch deep, C.T. Scan was recommended but the second hospital has decided its nature as simple. The allegation is of giving '*kudal'* blow on the head which is a vital part, and as such, he do not deserve relief.

7. Taking into account the aforesaid facts as also the injury report of the earlier hospital which corroborates with the allegation in the FIR, no relief can be extended.

8. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

Adnan/-

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