

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67101 of 2025

Arising Out of PS. Case No.-301 Year-2025 Thana- FORBESGANJ District- Araria

1. Wakil @ Md. Wakil S/o Muratej @ Murtaja R/o Village / Mohalla - Rampur North, Forbesganj, P.S.- Forbesganj, District - Araria
2. Md. Kaif Raja @ Md. Kaif @ Kaif Raja S/o Md. Firoj Alam R/o Village / Mohalla - Ren Dhatta, Shekh Tola, Rampur, Forbesganj, P.S.- Forbesganj, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 19-11-2025 Heard learned counsel for the petitioners and Mr. Chandra Bhushan Prasad, learned APP for the State.

2. Petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 308(2), 303(2), 352, 351(2) and 3(5) of the BNS, 2023.

3. The S.H.O. and the Investigating Officer of the case in compliance of the order dated 17.11.2025 are present in the Court.

4. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that he along with his two company's employee along



with younger brother of the owner of the company Abhishek Jaiswal were engaged in doing work of laying optical fiber for installing CCTV camera for Nagar Parishad, Forbesganj, when petitioners along with four unknown accused, whom he can identify, came on a Hundai Car and a bike and they assaulted him by an iron fighter while petitioners demanded extortion of Rs.1,00,000/- from Abhishek Jaiswal and snatched Rs.54,000/- and rings and the occurrence has been video recorded.

5. The learned counsel appearing on behalf of the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that petitioners are businessmen and they have business of sale and purchase of food grains. It is next submitted that on the date of occurrence, petitioner no.1 along with his wife were coming after meeting a doctor when they were stopped by the informant and his side as optical fiber was being laid on which an altercation took place and both sides assaulted each other. Further, petitioner no.1 instituted Complaint Case No.1213C of 2015. It is next submitted that though in the FIR, it is alleged that the occurrence was video recorded but then there is no video of the occurrence and the said allegation has been alleged only to give seriousness to the case. It is reiterated and



submitted that petitioners are persons with clean antecedent.

6. The Investigating Officer of the case, who is present in the Court, submits that informant did not submit any video recording of the occurrence. It is also submitted that on several occasion, the informant was requested to provide the video but the same was not provided. It is also submitted that when video was not provided, notice under Section 94 B.N.S.S. was given to the informant for providing the video but still the same, till date, has not been provided as has been recorded at para-32 of the case diary.

7. The learned APP also is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that no such occurrence was committed nor the same was video recorded.

8. Considering the submissions made by the learned counsel for the petitioners, let petitioners, above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with



Forbesganj P.S. Case No.301 of 2025, subject to the conditions
as laid down under Section 482(2) of the B.N.S.S.

9. The personal appearance of the S.H.O. and the
Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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