

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67010 of 2025

Arising Out of PS. Case No.-67 Year-2025 Thana- GAUNAHA District- West Champaran

Sahil Khan @ Daud Imam Khan S/O Afzal Imam Khan R/O Vill.- San
saraiya, P.S.- Bettiah (Muffasil), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Aditya Nath Jha, Adv
For the Opposite Party/s :	Mr.Navin Kumar Pandey, APP
	Mr. Bimlesh Kumar, Adv
	Mr. Satyam Kumar Ojha, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 22-09-2025 1. Heard learned counsel for the petitioner, learned APP for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 109(1), 118(1) and 103(1) of the BNS, 2023.
3. The Investigating Officer of the case, in compliance of the order dated 16-9-2025, is present in the Court.
4. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that she along with some of the family members had



gone to the field, when accused persons came and Adnan, Ayan, Aman Kamal, Adnan Kamal and Dolar stabbed her son causing injury on his abdomen, further Imranul, Shabnam and Kyamuddin Kamal assaulted her brother Basim by lathi and knife causing injury on head, thereafter Nazir, Firoz and Ekbal stabbed Basim in his abdomen and also cut his two fingers, thereafter accused fled and injured were taken to hospital, but her son died on the way.

5. Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that informant being an eye witness has specifically alleged who were present at the place of occurrence and who assaulted whom, it is next submitted that petitioner is not named in the FIR and his name transpired during supervision of the case on the ground that his presence at the place of occurrence was recorded in the video which was made of the occurrence. The learned counsel for the petitioner next submits that the case was taken up on 16-9-2025, when it was asserted and submitted that petitioner was not present at the place of occurrence and if it is proved from the video footage that petitioner was also present at the place of occurrence, in that event he will withdraw the instant anticipatory bail application. It is further submitted



that based on the said submission, the Investigating Officer of the case was directed to remain physically present before this Court to assist the Court on the issue. It is next submitted that Investigating Officer of the case is present in the Court. It is also submitted that petitioner is a law student of B.R.A. University, Bihar and is in 4th year, it is further submitted that based on the submission that his examination is to commence from 18-09-2025, no coercive action was granted in favour of the petitioner on 16-9-2025.

6. The Investigating Officer of the case, who is present in the Court, fairly submits that petitioner is not named in the FIR and during the course of investigation, he had gone through the video footage and did not find the petitioner at the place of occurrence.

7. Learned A.P.P. for the State fairly submits that though it has been submitted by the Investigating Officer of the case that petitioner was not found in the video footage, but then his name has transpired during the course of supervision, thereafter the learned counsel appearing on behalf of the informant submits that the son of the informant died and the name of the petitioner transpired during the course of investigation, but then the learned counsel appearing on behalf



of the informant is not in a position to rebut the submission of the Investigating Officer of the case that presence of the petitioner was not found in the video footage at the place of occurrence nor petitioner is named in the FIR.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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) 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 Gaunaha P.S. Case No. 67 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. The personal appearance of the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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