

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35085 of 2026

Arising Out of PS. Case No.-8 Year-2026 Thana- PATEPUR District- Vaishali

Md. Saiyad @ Lucky S/O Md. Jainul R/O Village - Bishunpur, Isuf, P.s - Sarairanjan, District - Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 35264 of 2026

Arising Out of PS. Case No.-8 Year-2026 Thana- PATEPUR District- Vaishali

Md. Samshad Son of Md. Ushman Resident of Village - Beladam, P.S. - Baligaon, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 35085 of 2026)
For the Petitioner/s : Mr.Rajeev Ranjan, Advocate
For the Opposite Party/s : Mr.Lalan Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 35264 of 2026)
For the Petitioner/s : Mr.Rajeev Ranjan, Advocate
For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 20-08-2026 Heard learned counsel appearing on behalf of the
petitioners and learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Patepur P.S. Case No. 08 of 2026 registered for the
offence(s) punishable under Sections 317(4),317(5), of the BNS.

3. As per the allegations made in the FIR, the



petitioners, in connivance with the co-accused, allegedly attempted to tamper with the registration numbers, engine numbers and chassis numbers of several vehicles. One of the owners of the aforesaid vehicles was present at the place of occurrence, while, with regard to the other vehicles which had been dismantled, inquiries were made from their respective owners. They identified the vehicles as belonging to them and stated that the vehicles had been stolen, for which they had already lodged FIRs.

4. Learned counsel appearing on behalf of the petitioners in both the bail applications submitted that petitioners are innocent and have falsely been implicated in the present case. Md. Samshad (petitioner of Cr. Misc. No.35264 of 2026) is the owner of the Lakki Scrap and Broken Kawari Shop, where the stolen vehicles were lying and in respect of the vehicles which has been mentioned in the FIR were dismantled, while the petitioner Md. Saiyad @ Lucky (petitioner of Cr. Misc. No.35085 of 2026) was the worker of the said shop. The petitioners found to be in illegal possession of the stolen property, to which, they had no knowledge. Learned counsel submitted that the petitioner/ Md. Saiyad @ Lucky, being the worker and illiterate person, has no knowledge that he has been



engaged in illegal act. Similarly learned counsel submitted that the petitioner/ Md. Samshad is the owner of the Lakki Scrap and Broken Kawari Shop and he is having clean antecedent, and as such, he cannot be held liable for the illegal act. On these grounds, the petitioners seek to be released on pre-arrest bail

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail and submitted that in course of investigation, the investigating officer has collected sufficient materials against the petitioners and as such, they don't deserve to be released on pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, in which the detail descriptions has been given regarding the manner in which, the crime was conducted by the petitioners of the two bail applications in connivance with other co-accused persons, who have not been named in the FIR. At the place of occurrence (scrap shop of one of the petitioners), the police have prepared the seizure list in respect of vehicles which were stolen and one of the owners was also present at the place of occurrence, who has identified his vehicle on the basis of registration number, chassis number and engine numbers and inquiries were made from some of the owners and they



identified their vehicles, as belonging to them and stated that their vehicles had been stolen, for which they had already lodged FIRs.

7. In above background, I don't find it proper to release the petitioners on pre-arrest bail. The Superintendent of Police is directed to forthwith take the petitioners into custody and produce before the learned District Court.

8. The bail application, accordingly, dismissed.

(Purnendu Singh, J)

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