

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1981 of 2026

Arising Out of PS. Case No.-274 Year-2025 Thana- MALAHI District- East Champaran

Nejamuddin Mian @ Nejamodin Hussain @ Bilat S/o- Mohammad Main @
Mohammad Hussain R/V- Mamrakha Mamarajga Bhaiya Tola PS- Malahi
District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore Alias Kundan Kumar

For the Opposite Party/s : Mr. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 06-05-2026 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Malahi Police Station Case No. 274 of 2025, registered for the offences punishable under Sections 317(5), 318(4), 336(2), 338, 336(3) and 347(1) of Bharatiya Nyaya Sanhita, 2023.

3. The prosecution story in brief is that the informant stated in a written application before the SHO that on patrolling duty on 20.08.2025, at about 17:25 P.M., they received secret information regarding the sale of a motorcycle. On the basis of the said information, he informed the higher officials and proceeded to enquire into the matter. When they reached the



place of occurrence, they saw two persons standing with a motorcycle. On seeing the police, the accused persons tried to flee away; one person fled, and one person was apprehended by the police. During interrogation, the apprehended person disclosed that the person who had fled away was the petitioner, namely Nejamuddin Mian @ Nejamodin Hussain @ Bilat, who is his son.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated due to village politics and police high-handedness. The petitioner is the son of arrested co-accused who is already in custody. The petitioner had no knowledge of the occurrence, and nothing has been recovered from the conscious physical possession of the petitioner. There is no independent witness except police personnel. The petitioner has been implicated only on account of his two antecedents of excise case.

5. Learned Additional Public Prosecutor for the State vehemently opposed the prayer for anticipatory bail and submits that the petitioner, in connivance with the arrested co-accused, who is the father, used to purchase stolen motorcycles at low price, change their number plates, and thereafter sell the same at higher prices for wrongful gain.



6. Considering the nature and gravity of the allegations made in the FIR, that the petitioner, in connivance with the arrested co-accused, used to purchase stolen motorcycles at low prices, change their number plates, and thereafter sell the same at higher prices for wrongful gain, I am not inclined to grant the petitioner privilege of anticipatory bail.

7. Accordingly, the prayer for bail is rejected.

(Anil Kumar Sinha, J)

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