

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19499 of 2026

Arising Out of PS. Case No.-13 Year-2026 Thana- AURANGABAD TOWN District-
Aurangabad

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Md. Shahid Hussain Son of Late Tahir Huassain R/o Village - Unthu Mohalla
Gola Bazar, P.S. - Sherghati, Dist. - Gayaji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shailesh Kumar Singh, Advocate
For the State	:	Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-03-2026 Heard Mr. Shailesh Kumar Singh, learned counsel

for the petitioner and Mr. Anil Kumar Singh No. 1, learned APP

for the State.

2. Petitioner seeks bail, who is in custody since
07.01.2026, in connection with Aurangabad Town P.S. Case No.
13 of 2026, F.I.R. dated 07.01.2026 registered for the offences
punishable under Sections 317(4), 317(5), 318(4), 338, 336(3),
3(5) of the B.N.S., 2023.

3. The case of the prosecution, in short, is that police
had information that in New Royal Moterworks, the engine and
chasis number of Scorpio was being changed. On this
information, police reached the garage. When the police
inspected the vehicles, they found one Scorpio having no



number plate. The engine of the vehicle was put in the garage and an attempt was made to punch fraudulent engine number on it. The owner of the garage disclosed that one Ataul Rahman has sent the vehicle for maintenance. Petitioner is the owner of the vehicle who talks through his mobile no. 6206848767. When the documents were demanded, the garage owner could not show the documents of the vehicle. It is further alleged that Ataul Rahman disclosed that this Scorpio was sent by Kundan Kumar and one Harse. When the petitioner was asked regarding the Scorpio, he disclosed that one Pintu Kumar has given him the Scorpio.

4. Learned counsel for the petitioner submits that the petitioner is the owner of the garage in question and one black colour Scorpio vehicle was recovered from the garage of the petitioner and petitioner has been made accused merely on the ground that the said vehicle in question was of theft and for that another Pali P.S. Case No. 598 of 2025 was instituted by the prosecution. Learned counsel for the petitioner further submits that in fact co-accused Kundan Kumar and Ataul Rahman had given the vehicle in question for repairing and the same was recovered from the garage of the petitioner and co-accused person namely, Kundan Kumar and Ataul Rahman who had



given the vehicle in question to the petitioner for repairing have been granted bail by a Coordinate Benches of this Court vide order dated 19.03.2026 and order dated 26.03.2026 in Cr. Misc . No. 17162 of 2026 and Cr. Misc. NO. 20148 of 2026 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 07.01.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that recovery has been made from the garage of the petitioner and apart from aforesaid petitioner carries one more case other than the present one but fairly submits that the pending case is pertaining to present matter.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Town P.S. Case No. 13 of 2026, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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