

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21779 of 2026

Arising Out of PS. Case No.-381 Year-2025 Thana- MUFFASIL District- Aurangabad

1. Md Ejaj Son of Md. Emteyaj @ Nassu R/o Village - Jarmakhap, P.S. - Muffasil, Dist. - Aurangabad(Bihar).
2. Md. Imteyaz @ Nassu R/o Village - Jarmakhap, P.S. - Muffasil, Dist. - Aurangabad(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners are apprehending arrest in connection with Aurangabad Muffasil P.S. Case No. 381 of 2025 lodged on 07.10.2025, for the offence punishable under Sections 303(2), 317(5), 318(4) & 3(5) of the Bharatiya Nyaya Sanhita, 2023, pending in the Court of Chief Judicial Magistrate, Aurangabad.

3. As per the prosecution, FIR has been lodged against three named accused persons including the present petitioners with allegation that when the police party conducted a raid to arrest accused Shahnawaz Qadri @ Pammi, then he along with



his brother Md. Ejaj and father Md. Imteyaj escaped. During the raid, a suspicious motorcycle was found at the house of the accused person which was later came to know that the said motorcycle was stolen one. It has also been alleged that the accused persons use stolen motorcycles with false number plates to commit crimes.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that the petitioners have been falsely implicated in this case by the police only on the ground that the petitioners are brother and father of co-accused Shahnawaz Qadri @ Pammi. Counsel further submits that the petitioner no.2 has clean antecedent, whereas, petitioner no.1 has one criminal antecedent, in which, he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners are hereby rejected.

7. However, if petitioners surrender before the concerned Trial Court within a period of 4 weeks from today then in that case, the Trial Court is directed to pass order on



their surrender-cum-bail application on the same day, without being prejudice that the anticipatory bail of the petitioners has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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