

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46880 of 2026

Arising Out of PS. Case No.-70 Year-2026 Thana- SHIKARGANJ District- East Champaran

Surendra Sah S/o Sitaram Sah Resident of Village - Harnaraina, P.S.-
Shikharganj, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-07-2026 Heard Mr. Abhishek Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Arun Kumar

Pandey, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Shikarganj P.S. Case No. 70 of 2026 registered for the
offence(s) punishable under Sections 317(5), 318(4), 338,
336(3) and 340(2) of the B.N.S.

3. As per the allegation made in the FIR, the co-
accused was apprehended by the police while riding a Hero
Splendor Pro motorcycle bearing Registration No. BR07L5659.
During verification, no document relating to the motorcycle
could be produced and it was found that its chassis number had
been tampered. The co-accused allegedly disclosed that he had
purchased the motorcycle from the present petitioner for a sum



of Rs.6,000/-.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He was neither apprehended from the place of occurrence nor anything incriminating has been recovered from his possession. His implication is based solely on the alleged confessional statement of the co-accused. There is no independent material to show that the petitioner had sold the alleged motorcycle to the co-accused. The petitioner has clean antecedent. On these grounds, the petitioner seeks the privilege of anticipatory bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the F.I.R., the materials available on record and the fact that the name of the petitioner has surfaced during investigation on the basis of the disclosure made by the apprehended co-accused, from whose possession the motorcycle was recovered, I find it proper to direct the District Transport Officer concerned to verify the ownership of the motorcycle on the basis of its registration number, engine number and chassis number. The District Transport Officer shall also verify whether the



motorcycle stood registered in the name of the petitioner and whether its ownership had been transferred prior to the alleged occurrence. The District Transport Officer shall furnish a report to the learned District Court within a period of four weeks.

7. The learned District Court shall, upon receipt of the report of the District Transport Officer and after being satisfied with regard to the ownership and transfer of the vehicle, consider the prayer of the petitioner for anticipatory bail afresh, without being prejudiced by its earlier order rejecting the prayer for anticipatory bail, and, may pass a proper order, if the petitioner approaches the learned District Court by filing a fresh bail application, in accordance with law.

8. In the meantime, no coercive steps shall be taken against the petitioner in connection with the aforesaid case.

9. The present application stands disposed of.

(Purnendu Singh, J)

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