

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78832 of 2025**

Arising Out of PS. Case No.-121 Year-2025 Thana- MAJORGANJ District- Sitamarhi

Niranjan Kumar @ Niranjan Mahto @ Kataruya S/o Jay Kishor Mahto R/o  
Village- Laldasi, P.S.- Majorganj, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Nawal Kishore Pd., A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

4      01-04-2026                      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 Majorganj Police Station Case No. 121 of 2025, disclosing offences under Sections 317(4) and 317(5) of Bharatiya Nyaya Sanhita.

3. As per the prosecution case lodged by the A.S.I., Majorganj Police Station, that on the basis of secret information that Ram Eshwar Mahto was having a stolen motorcycle and was trying to sell it, proceeded towards the place of occurrence and arrested him with Hero Splendor Plus motorcycle bearing registration no. BRO6DD5696, which



was found to be stolen, for which the owner of the motorcycle had lodged another case bearing Majorganj P.S. Case No. 121 of 2025. On interrogation, the arrested accused, Ram Eshwar Mahto, disclosed the name of the petitioner and the co-accused that the motorcycle in question was purchased from them on payment of Rs. 5,000/-.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case only on the basis of confessional statement of arrested co-accused and he has not committed any offence in the manner alleged. No further evidence has been collected by the police showing any connection of the petitioner with the present offence.

5. On the other hand, learned Additional Public Prosecutor for the State vehemently opposed the prayer for bail and submits that in the FIR itself, the arrested person has said that he purchased the motorcycle from the petitioner and the petitioner is having criminal antecedent under the Arms Act also.

6. Regards being had to the submissions made by the parties and taking into consideration the fact that the confessional statement of the arrested co-accused may form the basis of further investigation against the petitioner, for



which his presence may be necessary, and the petitioner is also having criminal antecedent, I am not inclined to grant the petitioner privilege of anticipatory bail.

7. Accordingly, the prayer for bail is rejected.

**(Anil Kumar Sinha, J)**

Siwani/-

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