

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89706 of 2025

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

Mohhammad Miyan @ Mohhammad Hussain S/O Late Vakil Miyan R/V
Mamrakha, Bhaiya Tola, P.S- 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, Adv

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 317(5), 318(4), 336(2), 336(3), 338, 347(1) of B.N.S.

3. The case of the prosecution is that the stolen bike was found from the possession of this petitioner. When he was being asked, he disclosed that his son Nizamuddin purchased stolen bike on low price and after changing the number plates, they used to sell them on high price.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that the only allegation against this petitioner is that of changing the number plate of the



bikes. He has not purchased the stolen bike. It has also been submitted that petitioner is having no criminal antecedent. It has also been submitted that nothing has been recovered from the possession of this petitioner. There is no independent witness of the seizure list rather they are police personnel. Police has not followed Section 105 of B.N.S.S. while preparing seizure. Moreover, the petitioner is languishing in judicial custody since 21.08.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Malahi P.S. Case No. 274 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Motihari, East Champaran.

(Ashok Kumar Pandey, J)

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