

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66995 of 2025

Arising Out of PS. Case No.-29 Year-2025 Thana- MARANCHI District- Patna

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Bambam Nishad Son of Chharpan Nishad @ Shatrudhan Nishad Resident of
Village - Naya Kasha Diyara Near Pani Tanki, Ward No.- 01, P.S.- Marachi,
District - Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akash Shankar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 24-03-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 329(3),
126(2), 115(2), 109, 74, 352, 351(2) and 3(5) of the BNS as well
as Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case as would manifest from the
supplementary affidavit and the informant alleges that on
08.04.2025, at 09:00 a.m., four named accused persons
including the petitioner came on account of dispute which had
occurred the previous night and started abusing her and her
husband. On protest, all accused persons started assaulting her
husband and even assaulted and molested the informant when



she tried to save her husband, thereafter petitioner and Amir Mahto fired but her husband was saved. On alarm, villagers gathered and the accused fled away.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no reason for the occurrence is alleged. It is next submitted that no doubt, it is alleged that petitioner along with Amir Mahto fired but then no one was injured in the occurrence. It is also submitted that allegation of firing has been alleged only to give seriousness to the case. It is further submitted that if the privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties



of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Maranchi P.S. Case No. 29 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. One of the bailors of the petitioner shall be his father, namely, Chharpan Nishad.

8. However, it is made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

9. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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