

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2800 of 2026

Arising Out of PS. Case No.-102 Year-2025 Thana- GHATHO District- Samastipur

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Bambam Giri @ Bambam Kumar Giri, Son of Nagendra Giri, Resident of
Village Armauli Giri Tola, P.S. Ghatho, District Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-01-2026 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 126(2),
115(2), 281, 132, 351(2), 352 and 3(5) of the BNS as well as
Section 37 of the Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 02.10.2025 while he was proceeding for
performing his official duty along with the police personnel in a
government vehicle when a white Scorpio came at a high speed
and blocked the official vehicle and the occupant of the said
vehicle abused the police personnel and pelted stones which
caused injuries to the informant.

4. Learned counsel for the petitioner submits that



petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is further submitted that petitioner came to be implicated based on the confessional statement of Rahul Kumar in police custody which does not have any evidentiary value in the eye of law. It is next submitted that even the vehicle which was seized does not belong to the petitioner. It is reiterated and submitted that petitioner is a person with clean antecedent.

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 before the learned trial court within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five Hundred) 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 Ghatoh P.S. Case No. 102 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

7. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioner and if



it is found that petitioner has antecedent of even one case, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, learned counsel for the petitioner based on instruction submits that petitioner undertakes to deposit an amount of Rs.1,500/- with the Advocate Association of the Patna High Court.

(Satyavrat Verma, J)

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