

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20220 of 2022

Arising Out of PS. Case No.-394 Year-2021 Thana- BODHGAYA District- Gaya

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Himanshu Bharti @ Himanshu Barvi, Son Of Late Sanjiv Singh Resident Of
Village - Rajapur, P.S.- Bodh Gaya, Distt.- Gaya.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha
For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 10-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 341,
323, 308/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that on 06.10.2021 at about 6.00 P.M. when his brother
was coming back home from his tuition when he was
intercepted by the petitioner along with 18-20 unknown accused
and was assaulted. It is next alleged that when informant
intervened to save his brother, the accused persons assaulted
him also and Md. Mashuijma with an iron rod and fist causing
injury on their head and they fell down.



The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that petitioner and the brother of the informant were known to each other. It is also submitted that even the injury of the informant and his brother is simple in nature as would be evident from Annexure-2. It is next submitted that petitioner is a student and in the event, if he is sent to custody, his entire career would be jeopardized and chances are bright that he may come in contact with hardened criminals.

Learned A.P.P. opposes the bail application and submits that though a plea has been taken that petitioner is a student, but no document in support of the same is annexed with the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bodhgaya P. S. Case No.394 of 2021, subject to the conditions laid down under Section 438(2)



of the Cr.P.C. with a condition that one of the bailors of the petitioner shall be his grandfather namely, Jaynendra Singh.

However, the petitioner will file a petition before the learned trial Court bringing on record his educational qualification including the name of the institution where he is studying. The learned trial Court before accepting his bail bonds shall verify the educational certificates submitted by the petitioner and in the event, if it is found that the certificates or the name of the educational institution is not genuine, then the present anticipatory bail order shall not be acted upon.

With an observation and direction, the present petition is disposed of.

(Satyavrat Verma, J)

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