

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56941 of 2024

Arising Out of PS. Case No.-208 Year-2024 Thana- RUPASPUR District- Patna

Himanshu Kumar, Son of Ajit Kumar Sinha Resident of Village - Rupaspur,
P.S. - Rupaspur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manohar Prasad Singh
For the State	:	Mr. Ramchandra Sahni
For the Informant	:	Ms. Shama Sinha
		Mr. Deovind Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 23-08-2024 1. Heard learned counsel for the petitioner,
the learned counsel appearing on behalf of the
informant and learned APP for the State.

2. The petitioner seeks bail in anticipation
of his arrest in a case registered for the offences
punishable under Sections 341, 323, 448, 325,
307, 379, 504, 506 and 34 of the Indian Penal Code
and later on, Section 302 of the I.P.C. was also
added.

3. The Investigating Officer of the case in
compliance of the order dated 21.08.2024 is
present in the Court.

4. The learned counsel for the petitioner



submits that the petitioner is a person with clean antecedent and petitioner is a young boy aged about 21 years and is a student of AMITY University as would manifest from Annexure-2 to the anticipatory bail application. It is further submitted that informant alleges that on account of dispute relating to parking, Tej Pratap assaulted his son by knife causing injury on nose while Sanjay Rai assaulted by an iron rod causing injury on hand of his son, when his another son came to save his brother, he was also assaulted by Sanjay, Bhanu Pratap, petitioner and Tej Pratap by fist and leg and thereafter, Bhanu assaulted Mehilal by an iron rod causing injury on head. Further the accused fired and threatened and Tej Pratap and Bhanu Pratap snatched golden chain of Rs.15,000/- from Mehilal. It is next alleged that his son was referred to AIIMS for treatment.

5.The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that on account of dispute relating to parking, the



occurrence is alleged to have taken place. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant specifically names Tej Pratap, Sanjay Rai and Bhanu Pratap of assaulting the injured. It is further submitted that as far as this petitioner is concerned, against him, it is alleged that he along with Sanjay Rai and Bhanu Pratap and Tej Pratap assaulted the son of the informant by fists and legs. It is also submitted that Mehilal during the course of treatment died, but then, the allegation of assaulting Mehilal is against Bhanu Pratap. It is further submitted that during the course of investigation, the CCTV Footage of the occurrence was also examined, but then, petitioner was not seen assaulting the deceased or any other injured. It is also submitted that petitioner and the informant are own agnates and are having dispute relating to parking.

6. The learned counsel further submits that in the nature of allegation as alleged in the F.I.R., it would manifest that petitioner is alleged to have



assaulted the son of the informant by fists along with others, but then, submits that petitioner is a young boy aged about 21 years and in the event, if he is sent to judicial custody, his entire career would be jeopardized and chances are bright that he may come in contact with hardened criminals, but then submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence..

7.The learned counsel for the informant as well as learned A.P.P. opposes the anticipatory bail application. The learned counsel for the informant submits that even injured has taken the name of the petitioner that he had assaulted, but then, is not able to rebut the submission of the learned counsel appearing on behalf of the petitioner that in the F.I.R. specific allegation of assaulting the injured is against Tej Pratap, Sanjay and Bhanu.

8.Considering the submissions made by the learned counsel for the petitioner and taking into consideration the fact that petitioner is a young boy aged about 21 years and is a student,



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 A.C.J.M., Danapur, Patna in connection with Rupaspur P. S. Case No.208 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9.The application stands allowed.

10. The personal appearance of the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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