

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26337 of 2015

Arising Out of PS.Case No. -55 Year- 2015 Thana -DANAPUR District- PATNA

Suryamani Kumar alias Suranami Kumar alias Tuntun Kumar, son of Sri
Vijay Prasad, Resdient of village Saharpur, P.S. Bind, District Nalanda.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

Appearance :

For the Petitioner : Mr.
For the State : Mr.
For the Informant : Mr.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 07-10-2015 Heard learned counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the
informant.

The petitioner seeks bail in connection with Danapur
P.S. Case No.55 of 2015 registered under Section 302/34 of the
Indian Penal Code.

Learned counsel appearing on behalf of the petitioner
submits that it would appear from the F.I.R. that the informant,
Sunil Kumar Sharma, received information about illness of his
son, Niraj Kumar, and his treatment at Sub Divisional Hospital,
Danapur, Patna. Thereafter, the informant went there and found
his son dead and no teacher of the school of his son was present



there. His nephew (Bhagina), Rohit Kumar, informed him that his son, Niraj Kumar, wanted to participate in the disposal of idol of Maa Saraswati on which the teacher of the school of his son assaulted him as a result of which he started vomiting and medicine was given to him and, thereafter, he slept but in the night he died. The informant has disclosed the name of the Principal of the school, Kaushlendar Kumar, his brothers, Balram Kumar and Tuntun Kumar(petitioner) in the F.I.R. but Rohit Kumar, the nephew (Bhagina) of the informant in his statement in paragraph-8 of the case diary has clearly stated that Niraj Kumar, the son of the informant, was assaulted by Kaushalendar Kumar, the Principal of the school and not by this petitioner rather the petitioner had given medicine to his son when he started vomiting. It is further submitted that Kaushlendar Kumar, the Principal of the school, has already been granted bail by a coordinate Bench of this Court vide order dated 16.07.2015 passed in Criminal Misc. No.22133 of 2015. The petitioner having no criminal antecedent is in custody since 05.02.2015

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the

satisfaction of the Additional Chief Judicial Magistrate, Danapur,
District-Patna, in connection with Danapur P.S. Case No.55 of
2015.

(Rajendra Kumar Mishra, J)

P.S./-

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