

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43642 of 2014

Arising Out of PS.Case No. -36 Year- 2010 Thana -BARGANIA District- SITAMARHI

- =====
1. Md. Islam (Head master) Son of Md. Moulvi
 2. Md. Nasim Akhtar Son of Sk. Shamsuddin Both are Resident of Village-Barewa, P.S.-Dhaka, District-East Champaran.
 3. Md. Rabbani @ SAif Rabbani Khan Son of Md. Shaifullah Khan Resident of Village-Chakawa, P.S.-Bairgania, District-Sitamarhi All three are teachers in middle school Shekhona, P.S.-Bairgania, District-Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra

For the Opposite Party/s : Mr. R.B.Rai Raman(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 16-04-2015 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

The petitioners being school teachers are apprehending their arrest in Bairgania P.S. Case No.36 of 2010 for the offence under Sections 302 and 114/34 of the Indian Penal Code.

Learned counsel for the petitioners contends that the allegation against these petitioners is wholly vague and indistinct and the petitioners have been implicated only because the girl in question Khusboo Kumari who is said to have been assaulted by her classmates with fists and slaps in her class room had not been

protected by the teachers. Learned counsel for the petitioners has brought on record the post mortem report which indicates that there is no external injury over the body of the deceased.

Considering facts and circumstances of the case and the nature of the allegation made against the petitioners and also the fact that the petitioners have no criminal antecedent, let the petitioners, above named, in the event of their arrest or surrender before the court below within two weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the C.J.M., Sitamarhi, in Bairgania P.S. Case No.36 of 2010 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Anjana Mishra, J)

AnilKrSinha/-

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