

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38674 of 2015

Arising out of PS.Case No. -60 Year- 2015 Thana -NALANDA District- NALANDA
(BIHARSHARIFF)

Ajay Kumar, son of Arvind Kumar, resident of village Kosnara P.S. Ben,
District Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Raj Kishor Prasad, Advocate.

For the Opposite Party : Mr. Raj Kishore Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 01.07.2015
in connection with Nalanda P.S. Case No. 60 of 2015 for the
offences instituted under Sections 147, 341, 323, 307, 435, 436,
506 of the IPC. Later on, Section 302 of the IPC., was also added.

The prosecution story, in brief, is that the informant is
running a D.P.S. Public School at Village-Neerpur. While she was
engaged in day-to-day affairs of the children of the said School, at
5.30 A.M., some boys came out from the Campus and when she
asked from Sumit Saurav then he said that they went at Mirja
Bigha. Thereafter, she was told by the driver that two boys

drowned in the water and several persons came in the School. In the meantime, her husband Devendra Prasad Sinha came and wanted to pacify the matter but her husband was assaulted by kick, fist and lathi by about five hundred persons. They also set fire the School and vehicles. They destroyed the School in which Sushil Kumar, Sintu Kumar, Rajpal Kumar and Shishupal Kumar of Dronacharge Residential School were also specially involved.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 01.07.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The petitioner is not named in the FIR. His name has come in course of investigation on confessional statement of the co-accused. Altogether 1500 people have been made accused in the present case. No specific allegation is attributed against the petitioner.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R. and his name has come on the confessional statement of co-accused.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like

amount each to the satisfaction of the learned C.J.M., Nalanda at
Biharshariff in connection with Nalanda P.S. Case No. 60 of 2015.

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(Sudhir Singh, J)