

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54014 of 2015

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

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Balram Kumar son of Late Brijnandan Prasad resident of village Sadarpur,
P.S. - Bind, Dist - Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudish Kumar

For the Opposite Party/s : Mr. Ahtasham Ali Khan (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 18-02-2016 Heard counsel for the petitioner and Mr. Dayal,

APP for the State.

The petitioner seeks anticipatory bail in
Danapur P.S. Case No. 55 of 2015 instituted under
section 302/34 IPC.

Indisputably, the informant is not the eye-
witness to the occurrence. On a forged/hoax call he was
informed that his son who was the student of the school
was brought to the hospital and was under treatment. He
went to the hospital and found his son dead. He has
suspected the hand of the Principal/Director of the school
in assaulting the son. The petitioner is the brother of the
Principal/Director of the school. He is the person who is

said to have ferried the boy to the hospital. It has been submitted that in course of investigation no one has actually alleged anything against the petitioner. The witness(s) have suspected the hand of Kaushlendra Kumar in assaulting the deceased. He also points out that the charge sheet against Kaushlenra Kumar has been submitted under section 304-A and 302 IPC. The petitioner has no criminal antecedent.

Mr. Dayal, on the other hand, submits that there is suspicion raised against the petitioner of having connived with other accused(s) in assaulting the son. However, no one has stated of having seen the assault by the petitioner on the deceased who was suffering otherwise from before.

Considering the facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of A.C.J.M. Danapur, Patna in Danapur P.S. Case No. 55 of 2015 on condition that one of the bailors shall be his own/close family member. He shall appear

on all the dates fixed at the trial. In case of default in
doing so on two consecutive dates, the trial court shall
have liberty to cancel his bail bonds.

(Kishore Kumar Mandal, J)

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