

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55612 of 2017

Arising Out of PS.Case No. -206 Year- 2017 Thana -ROSERA District- SAMASTIPUR

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Niranjan Kumar, son of Dev Narayan Choudhary, resident of village-Bhinduaa, P.S.-Kusheshwar Asthan, District- Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 11-12-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Rosera P.S. Case No.206 of 2017** instituted for the offence under Section(s) 323, 325, 302/34 Indian Penal Code pending in the Court of the **Additional Chief Judicial Magistrate, Rosera, Samastipur.**

As per written report, son of the informant was studying in Sunrise Nursery School, and was staying in the hostel of the aforesaid school. He was student of Class IV. This petitioner is Director of the School. Informant received information on 20.08.2017 that his son is seriously ill. The informant contacted the Director of the school. He told that his son was ill. The informant along with a teacher reached the hospital where he found his son was dead. On interrogation, the



doctor disclosed that his son has died due to assault on his head.

Case diary has been received. Post mortem report is available in the case diary. Doctor has stated cause of death due to asphyxia resulting from forcible rotation of neck which resulted into fracture of cervical vertebrae.

In such circumstances, from the post mortem report it appears that boy was assaulted in the hostel, but the petitioner, who is Director of the school, had given false information that his son was ill.

In view of such, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is rejected.

Petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed off in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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