

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43204 of 2021**

Arising Out of PS. Case No.-60 Year-2015 Thana- NALANDA District- Nalanda

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Guddu Kumar @ Nishant Kumar Son of Shri Suresh Prasad Resident of
Village- Nirpur, P.S.- Nalanda, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 29-10-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Nalanda P.S. Case No. 60
of 2015, registered for the offence punishable under Section 307
and other allied sections of the Indian Penal Code. Later on,
section 302 of IPC was added.

As per the prosecution case, informant runs DPS
school at her house from pre-nursery to Class VI. It is alleged
that on the alleged date of occurrence, 04 FIR named accused
persons and 500 unknown assaulted the husband of informant
by kick, fist and lathi causing his death. It is further alleged that
accused persons also destroyed the school and damaged the
vehicle also.



It is submitted on behalf of the petitioner that petitioner is not named in the FIR and he has falsely been implicated in this case due to village politics. From the FIR itself, it is apparent that some children of the school have died as a result of which the family members of deceased and other came and were making protest. No child of the petitioner was reading in that school. Name of the petitioner has come in this case on the confession of co-accused Dharamveer Kumar and the CCTV footage, but from the CCTV footage also it appears that petitioner was simply a spectator. Co-accused Dharamveer Kumar has been granted bail by this Court vide order dated 15.03.2016 passed in Cr. Misc. No. 2855 of 2016. Petitioner is in custody since 27.04.2021. Investigation is complete.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged 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 Sub-Divisional Judicial Magistrate, Biharsharif, Nalanda in connection with Nalanda P.S. Case No. 60 of 2015.

(Prabhat Kumar Singh, J)

vinita/-

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