

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3028 of 2025

Arising Out of PS. Case No.-521 Year-2024 Thana- ALOULI District- Khagaria

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1. Rajiv Chauchan @ Rajiv Kumar Son of Late Vishwanath Singh village- Ward no. 19, Raun, Ps- Alauli, Dist- Khagaria
 2. Jyotish Mishra @ Jyotish Kumar son of Ramanand Jha village- Ward no. 19, Raun, Ps- Alauli, Dist- Khagaria
 3. Manish Kumar Singh son of Late Kanti Singh village- Sanohali, Ps- Khagaria, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Supragya, Adv.
	:	Mr. Vikramadit, Adv.
For the State	:	Mr. Nawal Kishore Prasad, APP
For the Informant	:	Mr. Satish Kumar Singh, Adv.
	:	Mr. Divesh Maharaj, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 06-02-2025 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Alauli P.S. Case No. 521 of 2024, disclosing offences under Section 103(1), 61(1), 238, 351(3), 351(2), 3(5) of BNS.
3. As per the First Information Report, the informant alleged there in that on 17.12.2024, in the morning, she and her husband left their child namely Aditya Kumar (deceased) at Lucent International School. Subsequently at about 11:30 A.M



she got information that dead body of her child was taken away by school management in order to conceal it. On this information the informant rushed towards the school with her family members where the guard of the school informed that her child was alright and he was taken to Krishna Nursing home for treatment. On this they reached Krishna Nursing home where she found her son dead lying on bed. It is alleged that petitioners along with other accused persons named in the FIR have killed the son of the informant. It is further alleged that the informant's child was scared to attend his school as he had seen some murky activities for which the Principal, school management, guards used to threatened him. The deceased was with his parents for last one week.

4. Learned counsel for the petitioners submits that petitioner no.2 was attached with the school till 2019 as Principal but later on he left the school and entered into politics. Petitioner no. 1 and 3 are not connected with the school in any manner. Petitioner no.2 is named in the FIR only because he happens to be the brother of the co-accused Anurag Mishra who looks after the management of the school. The police during investigation verified the CCTV footage of campus but nothing objectionable was found in the CCTV. The Medical



Board who conducted post-mortem of the deceased could not ascertain the cause of death and viscera has been preserved for FSL examination. No external injury was found upon the body of the deceased. Petitioner no. 1 is having criminal antecedent of one case, petitioner no.2 is having criminal antecedent of three cases and petitioner no. 3 is having criminal antecedent of six cases.

5. On the other hand learned counsel for the informant vehemently opposed the prayer of bail and submits that petitioners are specifically named in the FIR and they are very much connected with the affairs of the school. He further submits that the deceased child was scared of attending school for which he was brought back from hostel by his parents for one week. The informant in the FIR has disclosed mental condition of the deceased that he was frightened and had seen something objectionable and illegal activities prevalent in the school. He further submits that the statement of the teacher Rishikesh Kumar was recorded during course of investigation and in para 86 of the case diary he has stated that petitioners are very much associated with the management of the school. He next submits that in the post-mortem report external injuries have been found and the doctor has opined that there is ligature



mark on the neck and teeth bite on the tongue of the deceased child.

6. Regards being had to the submission advanced on behalf of the parties and taking into consideration the fact that the informant's son who was student of class-3, died in school premises in suspicious condition and in the post-mortem, external injuries have been found on deceased i.e. ligature mark on his neck and teeth bite in the tongue, hence considering the gravity of the offence and severity of punishment and the fact that the petitioners are named accused in the FIR, I am not inclined to exercise my discretion for grant of anticipatory bail.

7. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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