

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1261 of 2025

Arising Out of PS. Case No.-175 Year-2024 Thana- SHAHKUND District- Bhagalpur

Ravi Pradhan @ Raju Ranjan Pradhan Son of Ranvir Prasad Singh Resident
of Near Old Shankar Gas Godam, Mirjanhat, P.S.-Mojahidpur, District-
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Madhav Krishna, Advocate
For the Informant	:	Mr. Amar Anand, Advocate
For the State	:	Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

11 05-08-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned APP for the State.

2. Petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 103(1),
3(5) of B.N.S.

3. A very unfortunate incident of death of a student
in school took place which is the subject matter of the F.I.R.
lodged by informant, who is the hapless father of the deceased.

4. The case of the prosecution is that the informant
came to the hospital upon an information by a co-villager that
his son who was studying in the school was not well and had
been admitted in the hospital. However, the informant was
informed that his son was shifted to K.K Nursing Home since



his condition was not good and, thereafter, from there the informant took his son to J.L.N.M.C. Hospital, Bhagalpur, where his son was declared dead. He has raised suspicion against the school administration and the owner/proprietor of the school for negligence and has also suspected that his son was assaulted.

5. Learned counsel for the petitioner submits at the outset, that the petitioner is the Director of the school where the informant's son was studying. It would be evident from the FIR itself, that the allegation rests only on suspicion and allegation has been made that negligence has been caused by the school administration with respect to the said offence. It has also been submitted that there is neither any specific allegation nor any evidence available against the petitioner either in the FIR or even during the course of investigation. It remains an admitted position that even as per the statement of witnesses recorded during the course of investigation including that of Principal, Hostel Warden etc. that the petitioner was informed about the incident telephonically, only after the informant's son was sent to K. K. Nursing Home for treatment where he arrived and was present in the hospital along with the informant. Upon enquiry, some of the students have stated that all of a sudden, the



deceased felt unwell whereafter the warden was called and the deceased was taken to hospital for treatment.

6. Subsequently, during the course of investigation however, a different story has emerged, pointing allegation towards involvement of co-accused Sunny Kumar, a student of the same school, in the said occurrence by way of statements of some other students and also statement of one student recorded under Section 183 of the BNSS. It has been submitted on the basis of all these materials that there is no oral or documentary evidence available against the petitioner to establish his complicity in the present occurrence but for an allegation of some negligence in administration and also a subsequent allegation of tampering with the C.C.T.V footage.

7. Learned counsel for the informant and learned APP, however, oppose the anticipatory bail. It has been very strongly contended on behalf of the informant that the informant's son has been killed in suspicious circumstances and the petitioner, being the Director of the said school, is also responsible for his negligent behaviour due to which the correct facts with regard to the death of the deceased could not be brought to surface. The postmortem report and the FSL report speak a different story, which according to the informant



remains unexplained and he has very strong suspicion that all these processes have been influenced. The informant also relies upon several paragraphs of the case diary to indicate that the petitioner is also involved in tampering with the evidence as the C.C.T.V footage of the date of occurrence is not showing the exact place of occurrence i.e. the room of the deceased is not clearly visible. It has also been argued that the informant's son was already dead when he was brought to Shahkund Primary Health Center, but still he was taken for further treatment. Further, it has been stated that the petitioner does not deserve anticipatory bail as he would not co-operate in the investigation, and would also tamper with the evidence and influence the evidence.

8. Having considered the entire facts and circumstances and the rival contentions of the parties, it is no doubt true that a disastrous incident has taken place in the school premises and different materials have emerged during the course of investigation, in the form of statement of witnesses, post mortem report, viscera report etc. It is the Investigating Agency, which has to submit the final investigation report. So far as the role of the petitioner is concerned, it is an admitted fact that he was nowhere present at the scene of occurrence or



even at the Primary Health Center, where the deceased was taken and he was rather informed, subsequently, on telephone whereafter, he rushed to the hospital. At best, a case of negligence of school administration can be alleged against the petitioner, being the Director of the said school, but his involvement in causing the death of the deceased has neither been alleged nor substantiated by way of any evidence. So far as the question of influencing the investigation and tampering with the evidence is concerned, there are no definite pointers towards the same but for bald allegations.

9. Considering the absence of any substantive material against the petitioner, who is the Director of School, let the petitioner above-named, in the event of his arrest/surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor Court in Shahkund P.S. Case No. 175 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C/Section 482 (2) of the B.N.S.S. and subject to further conditions;-

(i) One of the bailors shall be a family member/



close relative.

(ii) The petitioner would make himself available before the investigating officer as and when required for the purposes of investigation and any non-cooperation on his part would give liberty to the prosecution to pray for cancellation of his bail bonds.

(iii) Also in the event of the discovery of any material to show that the petitioner is trying to influence the investigation or attempting to tamper with the evidence, his bail bonds would be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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