

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55546 of 2025

Arising Out of PS. Case No.-170 Year-2023 Thana- MASAUDHI District- Patna

Vijay Singh @ Vijay Kumar Singh S/o Raudi Singh R/o Village - Kumhartoli
near Durga Mandir, Masaurhi, P.S - Masaurhi, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate Mr. Ram Sumiran Rai, Advocate
For the Opposite Party/s	:	Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 21-01-2026 Heard Mr. Y.C. Verma, learned Senior counsel
assisted by Mr. Ram Sumiran Rai, learned counsel, for the
petitioner and learned APP for the State.

2. Petitioner apprehends his arrest in connection with
Masaurhi P.S. Case No. 170 of 2023 registered for the offence
under Section 302 read with Section 34 of the Indian Penal
Code.

3. As per the prosecution case, the informant has
alleged that his two sons study in Navodaya Academy
Residential School at Kumhartli, Masaurhi. It has been alleged
that after the Holi festival, he went and dropped his two children
at the hostel and subsequently on the next day, he received one
phone call that his son, namely, Priya Ranjan has died. It is



alleged that he reached at the school and saw the dead-body of his son lying on a chowki and then he tried to talk to his other son, however, in the meantime the director of the school, namely, Chandan Kumar, Vijay Singh, wife of Vijay Singh and wife of Chandan Kumar forcibly loaded the dead-body of his son on his vehicle and thereafter the dead-body of his son was taken to Masaurhi police station. A suspicion has been raised by the informant against all the four named accused persons including the petitioner.

4. Learned Senior counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case without any specific allegation. It has further been submitted that admittedly there is no eyewitness to the occurrence. It has next been submitted that that even from the perusal of the FIR, it would be evident that only a suspicion has been raised against the petitioner and others and during the course of investigation the son of the informant was examined by the I.O., who also happens to be a student at the said school, and has stated that he has seen Chandan Sir slapping his brother and thereafter he was taken to another room and was locked inside. It has further been submitted that during the course of investigation several witnesses have been examined under



Section 161 of the Cr.P.C., namely, Bittu Kumar and Anish Kumar and they have stated that the son of the informant was not happy to come back to the house after holi holidays and his father had in fact slapped them and forcibly brought them back to school and in protest the two sons of the informant had not taken the dinner a day prior to the fateful day and they had seen the son of the informant hanging in his room on the next day.

5. Learned Senior counsel for the petitioner submits that the petitioner has no concern with the running of the school and in fact it is Chandan Kumar, who has been running the school in the hostel and from the statement of the witnesses it is a case of suicide, as it is also evident that the deceased was not willing to come back to school after holidays but he was forced by his father. It has further been submitted that the petitioner himself is a cancer patient and he had been admitted in Mahamana Pandit Madan Mohan Malviya Cancer Center at Varanasi. It has also been submitted that a few witnesses have stated that the petitioner was not there at the house and had gone to Patna to get his medicine. It has lastly been submitted that the petitioner has clean antecedent.

6. Learned APP for State has vehemently opposed the prayer for anticipatory bail of the petitioner and has stated that



the petitioner being the In-charge of the school is stated to have been involved in the killing of the son of the informant. It has further been submitted that the brother of the deceased has stated about Chandan Kumar, who was seen to be assaulting the deceased prior to his body being found at the chowki lying dead.

7. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties and taking into account that there is nothing specific against the petitioner and only a suspicion has been raised against him,, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(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 connection with Masaurhi P.S. Case No. 170 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in



violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the prayer for anticipatory bail is allowed.

9. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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