



IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12296 of 2026

Arising Out of PS. Case No.-549 Year-2025 Thana- RAJGIR District- Nalanda

Ajay Kumar Son of Late Kapildeo Prasad Resident of Village- Puraini Ps-Giriyak Dist- Nalanda At Present Principal Cum Director Arunoday School, Ashok Nagar Rajgir, Ps- Rajgir, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Singh, Advocate
: Mr. Satya Parkash, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-04-2026 Heard Mr. Amarnath Singh, learned counsel for the petitioner as well as Md. Mushtaque Alam, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 17.09.2025 in connection with Rajgir P.S. Case No. 549 of 2025, F.I.R. dated 14.09.2025 for the offences punishable under Sections 103(1) and 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant stated alleged that her grand-son, Dilkhush Kumar was student of LKG in residential School known as Arunodaya Vidyalaya, Ashok Nagar, Rajgir. On 14.09.2025, a teacher of that school, Gunjan Kumar informed the mother of Dilkhush Kumar that her son had fallen down from the roof top of the school and he was





being taken to hospital. On this when the family members of the deceased reached the hospital, they found the dead body of Dilkhush Kumar. On asking from various students they learnt that the head master, director, warden and teachers of the school had beaten the deceased by tying his hands and legs resulting to his death and hence, the case.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the basis that he is Principal-cum-Director of the school in question. Infact the deceased had died due to an accident and petitioner has no role at all in the present occurrence. He next submits that post-mortem report also does not support the allegation as alleged in the FIR. He further submits that the deceased had been admitted to the school on 12.09.2025, and the alleged incident occurred the very next day, i.e., 13.09.2025. It is therefore implausible that all the school staff would brutally assault the deceased by tying his hands and legs within such a short span of time. He next submits that this is a case of jumping done from the roof by the deceased at midnight which does not attract any offence under Section 103(1) B.N.S. He further submits that the petitioner is in custody since 17.09.2025.





5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner, being the Principal-cum-Director of the school in question, bears sole responsibility for all activities and occurrences within the institution.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released 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 Chief Judicial Magistrate, Biharsharif, Nalanda in connection with Rajgir P.S. Case No. 549 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the 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.

(Rajesh Kumar Verma, J)

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