

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21309 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -SIDHWALIA District- GOPALGANJ

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PAWAN AGRAWAL @ PAWAN KUMAR AGRAWAL Son of Om
Prakash Agrawal Resident of Village -Bucheya Sidhwalia, district
Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.S.R.P.Bakshi, Sr.Advocate.

For the Opposite Party/s : Mr. Mustaque Alam (App)

For the informant : Mr.Jeetendra Narayan Verma.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 02-08-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in
Sidhwalia P.S. Case No.17 of 2016 for the offence under Section
302/34 of the I.P.C.

Learned Senior counsel appearing on behalf of the
petitioner submits that it is a case of purely accidental death. The
teachers along with the petitioner obviously are being implicated
in the present case, as the story regarding other two children who
are sisters of the deceased being confined in a room, was far
fetched. He further submits that the petitioner was not present at
the relevant point of time at the place of occurrence and it was the

teachers who had found the body lying in a ditch and had taken the boy to the hospital where he was declared dead.

Learned counsel for the O.Ps. submits that it is a case of a small boy having been killed in a school campus and the responsibility of his safety is attached to the petitioner.

Counsel for the State, however, after referring several paragraphs of the case diary submits that he also stated that the body of the boy was recovered from ditch who had drowned. It is further pointed out by the petitioner that he was not over there on the fateful day of the occurrence, rather he was at Siwan.

Considering the aforesaid facts and circumstances and that there being no cogent material relating to the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the A.C.J.M., VIII, Gopalganj, in Sidhwalia P.S. Case No.17 of 2016 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Anjana Mishra, J)

AnilKrSinha/-

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