

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51941 of 2016

Arising Out of PS.Case No. -97 Year- 2016 Thana -GURUA District- GAYA

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Arvind Paswan, Son of Shyam Sunder Paswan , Resident of Village -
Barma, P.S. -Gurna, District-Gaya.

..... Petitioner

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner : Mr. Ramakant Sharma, Sr. Advocate and
Mr. Rajesh Kumar, Advocate.

For the Opposite Party : Mr. Arun Kumar Singh -5, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-12-2016 Heard learned senior counsel for the petitioner and
learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Gurua P.S. Case No. 97 of 2016 for the offences instituted
under Sections 328, 302 of the IPC and 50(I)(II) of the Bihar
Excise Amendment Act.

The prosecution story, in brief, is that on 28.07.2016, the
informant's husband Jhaman Manjhi and others went to make Aal
of the land. All have returned but her husband and Jodhi Bhuiyan
started drinking wine given by this petitioner and told the
informant that her husband and Jodhi Bhuiyan are lying at Bara
More near the Brick kiln. Her son brought his father but on



30.07.2016 at 6.00 A.M. loose motion started and he died. Jodhi Bhuiyan was also serious and he was brought to hospital at Gaya.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. As per the allegation, the deceased alongwith other persons had gone to work in the field. Subsequently, the other persons returned as to when the deceased and one Jodhi Bhuiyan started taking drink which was provided by this petitioner. Subsequently, later on, they had fallen ill after taking drink. Thereafter, after two days, the deceased is said to have died. There is no motive alleged against the petitioner nor it is a case of poisoning. No external injury is said to have been found on the body of the deceased.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Gurua P.S. Case No. 97/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Sherghati, Gaya, subject to the conditions



as laid down under Section 438(2) of the Code of Criminal
Procedure.

U.K./-

(Sudhir Singh, J)

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