

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43025 of 2016**

Arising Out of PS.Case No. -35 Year- 2014 Thana -AMBA District- AURANGABAD

=====

1. Baban Paswan, son of Laxman Paswan, resident of Village- Chilhki,  
P.S.- Amba, District- Aurangabad.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bachan Jee Ojha-Advocate

For the Opposite Party/s : Mr. Sri Ramchandra Sahani-A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI**  
**ORAL ORDER**

04 13-12-2016

Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor.

On account of presence of dead body beneath water  
in a well belonging to Bablu, informant Rajendra Kumar Singh,  
the Dafadar instituted instant case and for that, the allegations  
whatever been based at his end, happens to be on hearsay basis.

From perusal of the case diary, it is evident that I.O.  
had done perfunctory investigation. He even not cared to examine  
the wife of the victim and in likewise manner, is the opinion of the  
doctor while doing post mortem. The Supervising Authority, in the  
background appears to be, more or less, indulged in similar  
activities.

However, petitioner happens to be *Pattidar* of the



deceased and more particularly, when the inmates of the house of the deceased had already been granted bail under Cr. Misc. No.9306 of 2015 vide order dated 22.05.2015, petitioner's entitlement found more weightage.

That being so, petitioner, Baban Paswan is directed to 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, Aurangabad in connection with Amba P. S. Case no.35 of 2014.

A Copy of the order should be served upon the Superintendent of Police, Aurangabad, personally.

**(Aditya Kumar Trivedi, J)**

Vikash/-

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