

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26351 of 2017

Arising Out of PS.Case No. -27 Year- 2017 Thana -UCHAKAGAON District- GOPALGANJ

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Raju Yadav @ Dharamraj Yadav Son of Jhagru Chaudhary, Resident of
Village- Barka Sarkhe, P.S.- Uchkagaon, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.22855 of 2017

Arising Out of PS.Case No. -27 Year- 2017 Thana -UCHAKAGAON District- GOPALGANJ

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Jhagru Chaudhary Son of Late Bhagti Chaudhary @ Shakti Chaudhary
Resident of Village- Barka Sarve, P.S. Uchkagaon, District Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.26351 of 2017)

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. Manoj Kumar - 1

(In Cr.Misc. No.22855 of 2017)

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. S.M. Rahman

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 19-07-2017 Both the aforesaid applications arise out of

Uchkagaon P.S. Case No. 27 of 2017, registered under Sections

328, 304 and 120-B of Indian Penal Code and Section

34(a)(b)(i)(ii) of Bihar Prohibition and Excise Act. Therefore,

both the aforesaid applications have been heard together and are

being disposed of by this common order.



The allegation of informant Biran Kumar is that his father Ramakant Bin along with Nayak Prasad, Jiut Prasad and Rajbalabh Sah went to the house of the petitioner Jhagru Choudhary of Criminal Miscellaneous No. 22855 of 2017 for cooking meal in the function. After completion of the function, in the late night, his father returned to his house. In the morning, his father woke up and went to attend call of nature. Thereafter, his father made complain about ache in the body. On enquiry, his father disclosed that after cooking the meal, in the night, he along with others took liquor. Thereafter, informant brought his father to the sadar Hospital, Gopalganj, where his father was declared dead.

Learned counsel for the petitioners submits that it is alleged that liquor was supplied by petitioner Raju Yadav @ Dharamraj Yadav of Criminal Miscellaneous No. 26351 of 2017, who is son of petitioner Jhagru Choudhary, which was taken by father of the informant along with 3 others, but no one complained about ill health. In course of investigation only two empty bottles of Alfa-Alfa (Homeopathic Tonic) recovered from the house of the petitioners. Both the petitioners having no criminal antecedent are in custody since 25.02.2017.

Having regard to the facts and the circumstances of



the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-II-cum-Special Judge, Gopalganj in connection with Uchkagaon P.S. Case No. 27 of 2017.

(Rajendra Kumar Mishra, J)

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