

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42813 of 2015

Arising out of PS.Case No. -168 Year- 2013 Thana -SONO District- JAMUI

Ravi Yadav, son of Lalo Yadav, resident of village Thamhan, Police Station Charkapathar (Sono), District - Jamui.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Pankaj Kumar Sinha, Advocate.

For the Opposite Party : Mr. Smt. Gulnar Begum(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-11-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is languishing in custody since 04.02.2015 in connection with Sono (Charkapathar) P.S. Case No. 168 of 2013 for the offences instituted under Sections 302/34, 121A of the IPC, 27 of the Arms Act, 16, 17, 18, 19, 20, 21 and 22 of the Unlawful Activities (Prevention) Act.

The prosecution story, in brief, is that on 18.11.2013 at 8.00 P.M., the informant alongwith his family members were present in his house and his elder son Binod Yadav was cooking mutton in the house, then, he heard some noise outside his house near the well. When he came out from the house, he found 20-25 persons wearing *Wardi* having armed with weapons surrounded



his son Binod Yadav and they were abusing and assaulting him by saying why he did not come to meet them in forest. The informant and his family members went to save, but they abused and pushed the informant and shot fired upon his son, as a result, his son fell down and died. It is further stated that they were taking name of each other as Chiragda, Parvesda and other accused persons including the petitioner and they were raising slogans *Maovadi Jindabad*. They also left two *Naxali Parcha* and they went away towards south of his village and also made firing in sky. The informant saw that they were about 50-60 in numbers wearing Naxali Dress. It is further stated by the informant that the above said accused/Naxali and unknown Naxalites committed murder of his son.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 04.02.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The petitioner has remained in custody for approximately nine months. There is no specific allegation against the petitioner. General and omnibus allegation has been made against the petitioner. No specific injury is attributed against the petitioner.

On behalf of the State it has been submitted that the

petitioner is named in the F.I.R. and he has three other criminal cases pending against him.

Considering the aforesaid facts and circumstances, the petitioner has remained in custody for nine months, 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 Sessions Judge, Jamui, in connection with U.A. P. Case No. 22 of 2015, arising out of Sono (Charkapathar) P.S. Case No. 168 of 2013.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)