

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42544 of 2015

Arising out of PS.Case No. -21 Year- 2015 Thana -LAXMIPUR District- JAMUI

=====

Laldeo Yadav S/o Late Bhagirath Yadav, resident of Village Khairan, P.S. Jhajha, District Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

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

For the Opposite Party : Mr. Chandra Bhushan Prasad(App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 03.08.2015 in connection with Laxmipur P.S. Case No. 21 of 2015 for the offences instituted under Sections 364A, 458/34 of the IPC and ¾ of the Explosive Substance Act.

The prosecution case, in short, is that the daughter-in-law told the informant that father of Mithlesh, namely, Harischandra has been kidnapped by unknown persons. She also informed that criminals also taken ornaments by way of opening *Attachee*. Thereafter, he alongwith his wife out from his house and in the light of moon, saw 10-11 criminals forcibly taking away his son towards Jungle and mountain. Further alleged that criminal fired from pistol and also hurled bomb. All the criminals covered their

mouth from *Gamchha*. He informed to Mukhiya regarding the occurrence.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.08.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The petitioner is not named in the FIR. The victim after recovery has not named this petitioner. The petitioner has been implicated in the present case merely on the basis of suspicion. No substantive piece of evidence to show that the petitioner was involved in the alleged offence. It is further submitted that the petitioner may be released after completion of six months in custody from 03.08.2015.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner may be released on bail after completion of six months in custody from 03.08.2015 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Jamui, in connection with Laxmipur P.S. Case No. 21/2015 (G.R. No. 179/2015).

U.K./-

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

(Sudhir Singh, J)