

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35343 of 2016

Arising Out of PS.Case No. -1 Year- 2014 Thana -AMAS District- GAYA

=====

Lakshman Yadav, Son of Sri Bhondu Yadav @ Saryu Yadav, resident of
Village Khaira P.S Konch, Distt Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : M/S. Lilawati Singh and Kiran Sinha,
Advocates.

For the Opposite Party : Mr. Mukteshwar Dayal, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 26-10-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 24.04.2015
in connection with Amas P.S. Case No.01/2014 for the offences
instituted under Sections 302/34 of the IPC, 27 of the Arms Act
and 17 of C.L.A. Act.

The prosecution story, in brief, is that the informant got
information that two persons have been murdered and their dead
bodies were lying in Baghmarba Gathi. He alongwith other police
officials went there and found two dead bodies and their names as
Laxman Parahiya and Ram Pravesh Prasad and also slogans were
written on paper and kept with their slippers. During the course of
identification of the dead bodies, their relatives told the police that
both deceased alongwith Satyendra Prasad, Surendra Yadav and
Pravesh Bhokata had been kidnapped by a group of Naxals and

this petitioner was also one of them. On instruction of their Commander, Abhay @ Govind Yadav, the Naxalites held a Jan Adalat at village and they assaulted with Lathi for 50-50 times to the aforesaid three persons and they murdered to these two persons.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.04.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has remained in custody approximately for 1½ years. No specific allegation has been made against him. General and omnibus allegation has been made against him.

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 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gaya, in connection with Amas P.S. Case No. 01/2014.

U.K./-

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

(Sudhir Singh, J)