

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22472 of 2020

Arising Out of PS. Case No.-1326 Year-2018 Thana- BIHTA District- Patna

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LAKHAN YADAV @ RAM LAKHAN YADAV, aged about 44 years, Male,
S/o Shri Dasai Yadav, Resident of Village- Doghara, P.S.- Bihta, Distt- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Shashank Shekhar Jha, Advocate.
For the Opposite Party : Mrs. Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 05-01-2021 Learned counsel for the petitioner is directed to

remove the defect (s), as pointed out by the office, within a

period of four weeks.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 147, 148, 149, 307 and 302 of the
I.P.C. and 27 of the Arms Act.

The prosecution story, in brief, is that on 27.11.2018
at about 9.00 A.M., the informant alongwith his younger brother
Jitu Kumar, father Ram Babu Rai and mother Sharda Devi went
to his field and his father was ploughing field from the Tractor,
in the meantime, F.I.R. named accused persons including the
petitioner came there with deadly weapons and the petitioner



gave *Dab* blow on the deceased Ram Babu Rai, who fell down from the Tractor. Thereafter, accused persons made indiscriminate firing on Ram Babu Rai. The informant and his brother fled away, but the accused caught hold his mother Sharda Devi and made firing upon her. When the police and nearby persons assembled there, he came there and found that his mother and father died. The cause of occurrence is alleged to be land dispute.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 29.11.2018. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is alleged to have assaulted with the *Dab* to the father of the informant due to which he fell down. Other co-accused persons are said to have fired on the father and mother of the informant who succumbed to the injuries. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The petitioner has remained in custody for two years.

On behalf of the learned counsel for the State, it has



been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Danapur, in connection with Bihta P.S. Case No. 1326 of 2018.

(Sudhir Singh, J)

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