

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No. 300 of 2015

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Gaurav Alam @ Gaurab Alam @ Gaurab Raza Son of Tullu Hussain, resident of village Paharpur Police Station Amdabad, District Katihar under the guardianship of father and natural guardian Tullu Hussain.

.... Petitioner/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Najmul Hoda, Adv.

For the Respondent/s: Mr. Dr. Indihar Kumari (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

04. 13.08.2015

Heard learned counsel for the Petitioner and the State.

This revision application has been filed for setting aside the judgment and order dated 17.03.2015 passed by the Additional District and Sessions Judge-I, Katihar in Cr. Appeal (Juvenile) No. 5 of 2015, by which he has affirmed the order dated 14.01.2015 passed by the Juvenile Justice Board, Katihar in G.R. Case No. 2910 of 2014 arising out of Amdabad P.S. Case No. 178 of 2014, by which he has refused to release the Petitioner.

Considering that even charge-sheet has not been submitted till date, let the Petitioner, above named be released on furnishing bond of Rs. 5,000/- (Five Thousand) with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction



of Juvenile Justice Board, Katihar in G.R. Case No. 2910 of 2014 arising out of Amdabad P.S. Case No. 178 of 2014 subject to the following conditions:- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner. (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if he is he shall not be released on bail. (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iv) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse. (v) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

Accordingly, the revision application is allowed and the judgment and order dated 17.03.2015 passed by

the Additional District and Sessions Judge-I, Katihar in Cr. Appeal (Juvenile) No. 5 of 2015, by which he has affirmed the order dated 14.01.2015 passed by the Juvenile Justice Board, Katihar in G.R. Case No. 2910 of 2014 arising out of Amdabad P.S. Case No. 178 of 2014 is, hereby, set aside.

(Anjana Prakash, J.)

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