

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.195 of 2015

Arising Out of Sare P.S. Case No.116 Year- 2014 Thana –Sare District- NALANDA
(BIHARSHARIFF)

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Dheeraj Kumar, Son of Late Baban Lal, Resident of Village / Mohall Ali Nagar,
Police Station - Sare, District - Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Adv.

For the State : Mr. Nityanand Tiwary, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 02-04-2015

Heard learned counsel for the Petitioner and the State.

This revision application is directed against the order dated 20.1.2015 passed by the Additional District Judge, Nalanda, in Criminal Appeal No. 07 of 2015 by which he has affirmed the order dated 9.1.2015 passed by the Juvenile Justice Board, Nalanda at Biharsharif in connection with JJB Case No. 246 of 2014 arising out of Sare P.S. Case No. 116 of 2014 by which he has refused prayer to release the Petitioner.

In view of the facts of the case, 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 to be fixed by the court concerned to the satisfaction of Juvenile Justice



Board, Nalanda at Bihar Sharif, in connection with Sare P.S. Case No. 116 of 2014 (JJB Case No. 246 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.

The application stands allowed and the Proceeding including the order dated 20.1.2015 passed by the Additional District Judge, Nalanda, in Criminal Appeal No. 07 of 2015 as also the order

dated 9.1.2015 passed by the Juvenile Justice Board, Nalanda at Bihar Sharif in connection with JJB Case No. 246 of 2014 arising out of Sare P.S. Case No. 116 of 2014 are hereby set aside.

(Anjana Prakash, J)

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