

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.148 of 2015

Arising Out of PS.Case No.139 Year- 2014 Thana Mohiuddin Nagar District- SAMASTIPUR

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Ankit Tanti, Son of Nagendra Tanti, Juvenile under the guardianship of his father
Nagendra Tanti, Resident of village- Maddudabad, P.S.- Mohiuddin Nagar,
District- Samastipur

.... Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumar, D/o Shivchandra Das, Resident of village- Maddudabad, P.S.-
Mohiuddin Nagar, District- Samastipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Adv.

For the State : Mr. Anil Kr. Singh, 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.

The Petitioner seeks revision of the order dated 13.1.2015 passed by the Sessions Judge, Samastipur, in Criminal Appeal No. 904 of 2014 by which he has affirmed the order dated 20.10.2014 passed by the Juvenile Justice Board, Samastipur, in Juvenile Enquiry No. 1001 of 2014 arising out of Mohiuddin Nagar P.S. Case No. 139 of 2014 by which he has refused prayer for release of the Petitioner on the nonest ground.

From the facts of the case, there appears no possibility of the Petitioner mingling with anti social elements, and hence, 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, Samastipur, in connection with Mohiuddin Nagar P.S. Case No. 139 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 order dated

13.1.2015 passed by the Sessions Judge, Samastipur, in Cr. Appeal No. 904 of 2014 as also the order dated 20.10.2014 passed by the Juvenile Justice Board, Samastipur, in Juvenile Enquiry No. 1001 of 2014 arising out of Mohiuddin Nagar P.S. Case No. 139 of 2014 are hereby set aside.

(Anjana Prakash, J)

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