

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No. 130 of 2015

Arising out of P.S. Case No. -532 Year- 2013 Thana -Araria
District- ARRARIA

=====

Md. Sawood Alam, S/o Md. Baharuddin, Resident of Village-Belwa
Fatkan Tola, P.S. & District-Araria, under the guardianship of his
father Md. Baharuddin, S/o Late Md. Khalid, Village-Belwa Fatakn
Tola, P.S. and Distt.-Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Adv.

For the Respondent/s: Mr. B.N. Pandey, APP.

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 26-02-2015

The present Criminal Revision Application is directed against the order dated 20.12.2014 passed by the Sessions Judge, Araria in Cr. Appeal No. 23 of 2014 affirming the order dated 24.11.2014 passed by learned Principal Magistrate, Juvenile Justice Board, Araria in Araria P.S. Case No. 532 of 2013 (G.R. No. 2855 of 2013) registered under Section 380 of the Indian Penal Code whereby prayer for bail of the Petitioner has been rejected.

It has been submitted that the Petitioner is in custody since 20.12.2013 and his father undertakes his responsibility.

Considering such aspects of the matter, the order dated 20.12.2014 passed by the Sessions Judge,

Araria in Cr. Appeal No. 23 of 2014 affirming the order dated 24.11.2014 passed by learned Principal Magistrate, Juvenile Justice Board, Araria in Araria P.S. Case No. 532 of 2013 (G.R. No. 2855 of 2013) is, hereby, set aside.

Accordingly, this application is allowed.

Let the Petitioner, above named be released on bail on furnishing bail bonds of Rs. 5,000/- (Five Thousand) each with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction of Principal Magistrate, Juvenile Justice Board, Araria in connection with Araria P.S. Case No. 532 of 2013 (G.R. No. 2855 of 2013) 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 Petitioners and the other bailor shall be the father of the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioners. (ii) 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. (iii) 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. (iv) 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.



Vikash/-

(Anjana Prakash, J.)

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