

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No. 305 of 2015

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Prince Paswan alias Rohit Kumar, Son of Ram Bilas Paswan,
Juvenile under the guardianship of his natural father Ram
Bilas Paswan, Resident of Mohalla:- Pahsi, Paswantola, P.S.:-
Kotwali, District:- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramashish, Adv.

For the Respondent/s : Mr. Vinod Shankar Modi (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

03. 03.09.2015

Heard learned counsel for the Petitioner and the
State.

This revision application has been filed for setting
aside the judgment and order dated 04.03.2015 passed
by the Sessions Judge, Gaya, by which he has affirmed
the order dated 13.01.2015 passed by the Juvenile
Justice Board, Gaya in Misc. Case No. (M) 184 of 2014
arising out of Kotwali P.S. Case No. 254 of 2014, by
which he has refused to release the Petitioner.

Considering that the Petitioner's father
undertakes his responsibility as also he has fair
antecedents, 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, Gaya in Misc. Case No. 254 of 2014 arising
out of Kotwali P.S. Case No. 254 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 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 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.

In the nature of allegations, the Petitioner is directed to appear before the Head Priest of Vishnupad Temple, Gaya within fifteen days of his release and file a certificate about the same in the Court. On filing of the

certificate the Petitioner will be granted provisional release for a period of six months. In case, the Petitioner does not file a certificate about his reporting to the Head Priest within two weeks of his release from custody, he shall be noticed cancellation of release. During six months the Petitioner is expected to engage himself in fruitful activities under the guidance of the Head Priest, Vishnupad Temple, Gaya and at the end of the six months, he will file a certificate of his conduct in the court below issued by the Head Priest. If the certificate granted to the Petitioner is found satisfactory, the Court below will confirm the provisional release granted to the Petitioner and in case it is not, the Petitioner will be taken in custody.

Accordingly, the revision application is allowed and the judgment and order dated 04.03.2015 passed by the Sessions Judge, Gaya, by which he has affirmed the order dated 13.01.2015 passed by the Juvenile Justice Board, Gaya in Misc. Case No. (M) 184 of 2014 arising out of Kotwali P.S. Case No. 254 of 2014 is, hereby, set aside.

(Anjana Prakash, J.)

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