

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No. 458 of 2015

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Ravi Kumar Son of Gulab Mandal resident of village -
Jankisthan, Ward No. 5, Sitamarhi, P.S. + District -
Sitamarhi, under the guardianship of the father Gulab
Mandal.

.... Petitioner/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Adv.

For the Respondent/s: Mr. Jagdhar Prasad (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

03. 27.08.2015

Heard learned counsel for the Petitioner and the
State.

This revision application has been filed for setting
aside the judgment and order dated 16.04.2015 passed
by the 1st Additional District Judge, Sitamarhi in Cr.
Appeal No. 15/15/3/15, by which he has affirmed the
order dated 26.03.2015 passed by the Juvenile Justice
Board, Sitamarhi in J.J.B. Case No. 1209 of 2015 arising
out of Sitamarhi P.S. Case No. 01 of 2015, by which he
has refused to release the Petitioner.

Considering the Report of the Probation Officer,
Sitamarhi, let the Petitioner, above named be released in
the guardian-ship of his father 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, Sitamarhi in

J.J.B. Case No. 1209 of 2015 arising out of Sitamarhi P.S.
Case No. 01 of 2015 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. (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 release 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 release 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 release will be liable to be cancelled.

Accordingly, the revision application is allowed

and the judgment and order dated 16.04.2015 passed by the 1st Additional District Judge, Sitamarhi in Cr. Appeal No. 15/15/3/15, by which he has affirmed the order dated 26.03.2015 passed by the Juvenile Justice Board, Sitamarhi in J.J.B. Case No. 1209 of 2015 arising out of Sitamarhi P.S. Case No. 01 of 2015 is, hereby, set aside.



Vikash/-

(Anjana Prakash, J.)

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