

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No. 869 of 2015

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Guddu Kumar @ Guddu Kumar Yadav @ Guddu Kumar Rai
Son of Jang Bahadur Rai Resident of Village- Kharauni, P.S.-
Marhowrah, District- Saran at Chapra (Bihar) Represented by
Natural guardian namely Chandeshwar Rai S/o Late
Raghunath Rai, brother-in-law of the petitioner.

.... Petitioner/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Respondent/s : Mr. Binod Kr. 2 (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 09.11.2015

Heard learned counsel for the Petitioner and the
State.

This Revision Application has been filed for
setting aside the judgment and order dated 11.08.2015
passed by the Sessions Judge, Saran at Chapra in Cr.
(Juvenile) Appeal No. 81 of 2015, by which he has
affirmed the order dated 11.06.2015 passed by the
Principal Magistrate, Juvenile Justice Board, Saran at
Chapra in J.J.B. Case No. 1375 of 2015 arising out of
Morhowrah P.S. Case No. 152 of 2014, by which he has
refused to release the Petitioner.

Considering that the Petitioner has fair
antecedents and his brother-in-law, Chandeshwar Rai
undertakes his responsibility, let him 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 Principal Magistrate, Juvenile Justice Board, Saran at Chapra in J.J.B. Case No. 1375 of 2015 arising out of Morhowrah P.S. Case No. 152 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 brother-in-law of the Petitioner namely Chandeshwar Rai. 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 11.08.2015 passed by the Sessions Judge, Saran at Chapra in Cr. (Juvenile) Appeal No. 81 of 2015 as also order dated 11.06.2015 passed by the Principal Magistrate, Juvenile Justice Board, Saran at Chapra in J.J.B. Case No. 1375 of 2015 arising out of Morhowrah P.S. Case No. 152 of 2014) is, hereby, set aside.

(Anjana Prakash, J.)

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