

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No. 362 of 2015

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Suraj Thakur @ Raj Kumar S/o Satdeo Thakur @ Satyadeo Thakur, R/o village- Dhum Nagar, Narkatiyaganj, P.S. Shikarpur, District- West Champaran, (under the guardianship of his father namely Satadeo Thakur)

.... Petitioner/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Adya Singh, Adv.

For the Respondent/s : Mr. Parmanand Pd. (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

03. 03.12.2015

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 District and Sessions Judge, East Champaran at Motihari in Cr. Appeal (Juvenile) No. 16 of 2015, by which he has affirmed the order dated 06.02.2015 passed by the Juvenile Justice Board, East Champaran at Motihari in Tr. No. 899 of 2014 arising out of Palanwa P.S. Case No. 94 of 2013, by which he has refused to release the Petitioner.

Considering that the father of the Petitioner is ready to undertake 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 Juvenile



Justice Board, East Champaran at Motihari in Tr. No. 899 of 2014 arising out of Palanwa P.S. Case No. 94 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 Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner. (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 release 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 release will be liable to be cancelled.

In view of the antecedents of the Petitioner, he is directed to appear before the Superintendent of Police, East Champaran within fifteen days of his release with a copy of this order and every two weeks thereafter for the

next six months. The conduct of the Petitioner will be kept under watch in this period by the superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of release for reasons of misuse of release. After reporting to the Superintendent of Police, a certificate will be filed by the Petitioner before the court concerned.

Accordingly, the revision application is allowed and the judgment and order dated 04.03.2015 passed by the District and Sessions Judge, East Champaran at Motihari in Cr. Appeal (Juvenile) No. 16 of 2015, by which he has affirmed the order dated 06.02.2015 passed by the Juvenile Justice Board, East Champaran at Motihari in Tr. No. 899 of 2014 arising out of Palanwa P.S. Case No. 94 of 2013 is, hereby, set aside.

(Anjana Prakash, J.)

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