

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No. 929 of 2014

Arising out of P.S. Case No. -35 Year- 2014l Thana –Pauthu
District- AURANGABAD

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Prem Paswan @ Prem Lal Priyadarshi S/o Sri Ram Pyare Paswan
Resident of Village - Pauthu, District - Pauthu, District -
Aurangabad. Under the guardianship of his father Sri Ram Pyare
Paswan. Petitioner/s

Versus

The State of Bihar. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Respondent/s : Mr. Jagdhar Prasad, APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 26-02-2015

Supplementary-Affidavit filed today on behalf of
the Petitioner be kept on record.

The present Criminal Revision Application is
directed against the judgment dated 15th September, 2014
passed by the Ad hoc Additional Sessions Judge-II,
Aurangabad in Cr. Appeal No. 63 of 2014/82 of 2014
affirming the order dated 21.07.2014 passed by learned
Principal Magistrate, Juvenile Justice Board, Aurangabad
in Pauthu P.S. Case No. 35 of 2014 (G.R. No. 1062 of
2014, Tr. No. 844 of 2014, S.G.R. No. 270 of 2014)
registered under Section 366A/34 of the Indian Penal
Code whereby prayer for bail of the Petitioner has been
rejected.

Considering the merits of the case, the judgment
dated 15th September, 2014 passed by the Ad hoc



Additional Sessions Judge-II, Aurangabad in Cr. Appeal No. 63 of 2014/82 of 2014 affirming the order dated 21.07.2014 passed by learned Principal Magistrate, Juvenile Justice Board, Aurangabad in Pauthu P.S. Case No. 35 of 2014 (G.R. No. 1062 of 2014, Tr. No. 844 of 2014, S.G.R. No. 270 of 2014) is, hereby, set aside.

Accordingly, this application is allowed.

Let the Petitioner, above named be released on bail on furnishing bail 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, Aurangabad in connection with Pauthu P.S. Case No. 35 of 2014 (G.R. No. 1062 of 2014, Tr. No. 844 of 2014, S.G.R. No. 270 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 cousin brother of the Petitioner namely Ranvijay Kumar. 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.

(Anjana Prakash, J.)

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