

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.99 of 2015

Arising Out of PS.Case No. -45 Year- 2014 Thana -Sahodara District-
WESTCHAMPARAN(BETTIAH)

=====

1. Rajan Kumar Mahto @ Rajan Kumar Son of Nepali Mahton @ Nepali kumar Mahto, Resident of vill-Jamuniya, P.S-Sahodara, Distt.-West Champaran, through his father Nepali Mahto @ Nepali Kumar Mahto, S/O Sukhdeo Mahto, Resident of vill-Jamuniya, P.S-Sahodara, Distt.-West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Respondent/s : Mr. C. Jawahar, APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 19-03-2015

Heard learned Counsel for the petitioner and the State.

This revision application has been filed for setting aside the judgment and order dated 6.1.2015 passed by the Sessions Judge, Bettiah, West Champaran in Criminal Appeal No.85 of 2014, by which he has affirmed the order dated 22.11.2014 passed by the Juvenile Justice Board, Bettiah in Trial No.562 of 2014 arising out of Sahodara P.S. case No.45 of 2014, by which he has refused to release the Petitioner.

The petitioner seeks release in Trial No.562 of 2014 arising out of Sahodara P.S. case No.45 of 2014.

It is apparent from the First Information Report that the

girl and the boy were in affairs and thereafter the parents did not accede to the demands of marriage and hence the present case was instituted.

Considering the aforesaid facts, let the petitioner above named, be released on furnishing bond of Rs. 5,000/-(Five thousand) with two sureties of the like amount each to the satisfaction of learned Juvenile Justice Board, West Champaran, Bettiah in connection with Trial No.562 of 2014 arising out of Sahodara P.S. case No.45 of 2014, subject to the conditions (i) That one of the bailor 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 undertake to furnish information to the Court about any change in 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 bail on 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 bond will be

liable to be cancelled for reasons of misuse, (v) That the petitioner will be well represented on each date if he fails to do so on two consecutive dates, his bond will be liable to be cancelled.

Accordingly, the revision application is allowed and the judgment and order dated 6.1.2015 passed by the Sessions Judge, Bettiah, West Champaran in Criminal Appeal No.85 of 2014 as also the order dated 22.11.2014 passed by the Juvenile Justice Board, Bettiah in Trial No.562 of 2014 arising out of Sahodara P.S. case No.45 of 2014 is, hereby, set aside.

(Anjana Prakash, J)

Narendra/-

U		T	
---	--	---	--