

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Revision No.1029 of 2014**

Arising Out of PS.Case No. -33 Year- 2014 Thana -null District- MUNGER

Rajesh Yadav son of Naresh Yadav, resident of village Dhobai, Police Station  
Tarapur, District Munger under the guardianship of his father Naresh Yadav

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Sanjeev Ranjan, Advocate

For the Respondent/s : Mr. Arun Kumar Singh-5, APP

**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**

**ORAL JUDGMENT**

**Date: 26-03-2015**

Heard learned Counsel for the petitioner and the State.

This revision application has been filed for setting aside the judgment and order dated 20.10.2014 passed by the Sessions Judge, Munger in Criminal Appeal No.57 of 2014, by which he has affirmed the order dated 3.9.2014 passed by the Juvenile Justice Board, Munger in Juvenile Justice Board No.28 of 2014 arising out of Tarapur P.S. case No.33 of 2014, by which he has refused to release the Petitioner.

The petitioner seeks release in Juvenile Justice Board No.28 of 2014 arising out of Tarapur P.S. case No.33 of 2014 on the ground that there is general allegation against the Petitioner and there was no adverse report of the Probation Officer which was merely to the extent that the Petitioner be detained for a longer period. Also now the

Petitioner's brother-in-law Karelal Yadav undertakes his responsibility and there is no chance of his mingling with anti social elements.

Considering such aspect of the matter, 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, Munger in connection with Juvenile Justice Board No.28 of 2014 arising out of Tarapur P.S. case No.33 of 2014, subject to the conditions (i) That one of the bailor shall be Karelal Yadav, brother-in-law of the Petitioner and the other 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 20.10.2014 passed by the Sessions Judge, Munger in Criminal Appeal No.57 of 2014 and the order dated 3.9.2014 passed by the Juvenile Justice Board, Munger in Juvenile Justice Board No.28 of 2014 arising out of Tarapur P.S. case No.33 of 2014 is, hereby, set aside.

**(Anjana Prakash, J)**

Narendra/-

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