

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.498 of 2014

Arising Out of PS.Case No. -292 Year- 2013 Thana -null District-
EASTCHAMPARAN(MOTIHARI)

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1. Saroj Kumar Singh Son of Shankar Singh Resident of Village- Sirkhandi, P.S.-
Sugauli, District- East Champaran under the guardianship of his mother namely
Sushila Devi at aforesaid address

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Malendu, Advocate

For the Respondent/s : Mr. A.L. Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 22-05-2015

Heard learned Counsel for the petitioner and the State.

This revision application has been filed for setting aside the
order dated 2.4.2014 passed by the Special Judge, East Champaran,
Motihari in Criminal Appeal No.19 of 2014, by which he has affirmed
the order dated 18.2.2014 passed by the Juvenile Justice Board,
Motihari in Raxaul P.S. case No.292 of 2013 (Trial No.777 of 2013),
by which he has refused to release the Petitioner.

The petitioner seeks release in Raxaul P.S. case No.292 of
2013 (Trial No.777 of 2013).

Considering that the Petitioner has fair antecedents and he
has been in custody since 28.9.2013 and his mother Sushila Devi



undertakes his responsibility and there is no danger of him further indulging in any similar act, 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, East Champaran, Motihari in connection with Raxaul P.S. case No.292 of 2013 (Trial No.777 of 2013), subject to the conditions (i) That one of the bailor shall be Sushila Devi, mother 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 order dated 2.4.2014 passed by the Special Judge, East Champaran, Motihari in Criminal Appeal No.19 of 2014 as also the order dated 18.2.2014 passed by the Juvenile Justice Board, Motihari in Raxaul P.S. case No.292 of 2013 (Trial No.777 of 2013) is, hereby, set aside.

(Anjana Prakash, J)

Narendra/-

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