

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.442 of 2015

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1. Govind Ojha under the guardianship of his father Vijay Ojha petitioner is son of Vijay Ojha resident of village - Basti Semra, P.S. - Palanwa, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

For the State : Mr. Nand Kumar, (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 20-08-2015

Heard learned counsel for the Petitioner and the State.

This revision application has been filed for setting aside the Judgment and order dated 13.3.2015 passed by the Sessions Judge, East Champaran, Motihari, in Criminal Appeal (Juvenile) No. 04 of 2015, by which he has affirmed the order dated 11.12.2014 passed by the Juvenile Justice Board in Chiraiya (Shikarganj) P.S. Case No. 14 of 2014, by which he has refused to release the Petitioner.

Considering that the Petitioner's father undertakes his responsibility, 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 Juvenile Justice Board, Motihari, East Champaran, in connection with Chiraiya (Shikarganj) P.S. Case No. 14 of 2014 subject to the 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 shall be the father of 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 bail 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 bail will be liable to be cancelled.

Accordingly, the revision application is allowed and the Judgment and order dated 13.3.2015 passed by the Sessions Judge, East Champaran, Motihari, in Criminal Appeal (Juvenile) No. 04 of 2015, as also the order dated 11.12.2014 passed by the Juvenile Justice Board, Motihari, East Champaran, in Chiraiya (Shikarganj) P.S. Case No. 14 of 2014, is hereby, set aside.

(Anjana Prakash, J)

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