

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No. 900 of 2015

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Sintu Kumar @ Santu Kumar, S/o Ramparwesh Sao @
Kandu, Resident of Village-Parasdi, P.S.-Phesar, District-
Aurangabad under the guardianship of his mother Sunaina
Devi.

.... Petitioner/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Adv.

For the Respondent/s: Mr. R.N. Jha (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 26.11.2015

Heard learned counsel for the Petitioner and the
State.

This revision application has been filed for setting
aside the judgment and order dated 05.10.2015 passed
by the 1st Additional Sessions Judge, Aurangabad in Cr.
Appeal (Juvenile) No. 43 of 2015/05 of 2015, by which he
has affirmed the order dated 25.06.2015 passed by the
Principal Magistrate, Juvenile Justice Board, Aurangabad
in G.R. Case No. 13 of 2015 (Tr. No. 848 of 2015) arising
out of Mahila P.S. Case No. 07 of 2015, by which he has
refused to release the Petitioner.

Considering the statement of the alleged victim
recorded under Section 164 Cr.P.C., let the Petitioner,
above named be released 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 G.R. Case No. 13 of 2015 (Tr. No. 848 of 2015) arising out of Mahila P.S. Case No. 07 of 2015 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. 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.

Accordingly, the revision application is allowed

and the judgment and order 05.10.2015 passed by the 1st Additional Sessions Judge, Aurangabad in Cr. Appeal (Juvenile) No. 43 of 2015/05 of 2015, by which he has affirmed the order dated 25.06.2015 passed by the Principal Magistrate, Juvenile Justice Board, Aurangabad in G.R. Case No. 13 of 2015 (Tr. No. 848 of 2015) arising out of Mahila P.S. Case No. 07 of 2015 is, hereby, set aside.

(Anjana Prakash, J.)

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