

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Revision No. 834 of 2015**

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Abhishek Kumar Singh @ Kallu @ Abhishek Singh @ Kallu Kumar  
@ Abhishek Son of Shri Manoj Kumar Resident of Village -Mehiya  
Police Station -Chapra Mufassil District Saran Chapra, under the  
Guardian of his father Namely Manoj Kumar Son of Jairam Singh.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sachida Nand Rai, Adv.

For the Respondent/s: Mr. Ashok Kumar Singh-1(APP)

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

**02. 09.11.2015**

Heard learned counsel for the Petitioner and the  
State.

This Revision Application has been filed for setting  
aside the judgment and order dated 19.09.2015 passed by the  
Sessions Judge, Saran at Chapra in Cr. (Juvenile) Appeal No.  
115 of 2015, by which he has affirmed the order dated  
10.09.2015 passed by the Principal Magistrate, Juvenile  
Justice Board, Saran at Chapra in J.J.B. Case No. 1446 of  
2015 arising out of Khaira P.S. Case No. 101 of 2015, by which  
he has refused to release the Petitioner.

Considering that apart from confessional statement  
of the co-accused there is no other material against the  
Petitioner who has fair antecedents and his father undertakes  
his responsibility, let him be released on furnishing 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,  
Saran at Chapra in J.J.B. Case No. 1446 of 2015 arising out of



Khaira P.S. Case No. 101 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 and the other bailor 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 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 release 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 release 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 release will be liable to be cancelled.

In the nature of allegation, the petitioner is directed to appear before the Head Priest of Local Temple, Saran at Chapra within fifteen days of his release and file a certificate about the same in the Court. On filing of the certificate the petitioner will be granted provisional bail for a period of six months. In case, the petitioner does not file a certificate about his reporting to the Head Priest within two weeks of his release

from jail custody, he shall be noticed cancellation of bail. During six months the petitioner is expected to engage himself in fruitful activities under the guidance of the Head Priest, Local Temple, Saran at Chapra and at the end of the six months, he will file a certificate of his conduct in the court below issued by the Head Priest. If the certificate granted to the petitioner is found satisfactory, the court below will confirm the provisional bail granted to the petitioner and in case it is not, the petitioner will be taken in custody.

Accordingly, the Revision Application is allowed and the judgment and order dated 19.09.2015 passed by the Sessions Judge, Saran at Chapra in Cr. (Juvenile) Appeal No. 115 of 2015 as also order dated 10.09.2015 passed by the Principal Magistrate, Juvenile Justice Board, Saran at Chapra in J.J.B. Case No. 1446 of 2015 arising out of Khaira P.S. Case No. 101 of 2015 is, hereby, set aside.

**(Anjana Prakash, J.)**

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