

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1052 of 2014

Arising Out of PS.Case No. 237 Year- 2014 Thana Jehanabad District- JEHANABAD

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Rana Rajnish Singh @ Rajnish Kumar @ Rana, Son of Hit Narayan Singh,
Resident of Mohalla = Poorvi Unta, Jehanabad P.S.- Jehanabad, District- Jehanabad

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh, Adv.

For the Respondent/s : Mr. Satyendra Narayan Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 19-03-2015

Learned counsel for the Petitioner is permitted to make correction in paragraph-1 of the affidavit annexing with the petition with regard to name of the District.

Heard learned counsel for the petitioner and the State.

This revision application has been filed for setting aside the Judgment and order dated 5.11.2014 by which the District and Sessions Judge, Jehanabad, in Criminal Appeal No. 49 of 2014 has affirmed the order dated 25.9.2014 passed by the Juvenile Justice Board, Jehanabad, by which he has refused to release the Petitioner in connection with G.R. Case no. 1351 of 2014, Trial No. 601(J) of 2014 arising out of Jehanabad P.S. Case No. 237 of 2014.

The petitioner seeks release in G.R. Case No. 1351 of

2014, Juvenile Case No. 601 (J) 2014 arising out of Jehanabad P.S. Case No. 237 of 2014 on the ground that the Petitioner's brother-in-law (Bahnoi) namely, Arjun Kumar Sinmgh undertakes his responsibility and he is not an accused in any other case as also there is no danger of being mingling with anti social elements.

Considering the aforesaid facts, 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, Jehanabad, in connection with G.R. Case No. 1351 of 2014, Juvenile Case No. 601 (J) 2014 arising out of Jehanabad P.S. Case No. 237 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. 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 bond 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 bond 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 bond will be liable to be cancelled.

Accordingly, the application is allowed and the Judgment and order dated 5.11.2014 passed by the District and Sessions Judge, Jehanabad, in Criminal Appeal No. 49 of 2014 as also the order dated 25.9.2014 passed in G.R. Case No. 1351 of 2014, Trial No. 601(J) of 2014 arising out of Jehanabad P.S. Case No. 237 of 2014 by the Juvenile Justice Board, Jehanabad, are hereby set aside.

(Anjana Prakash, J)

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