

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No. 470 of 2015

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Brajesh Kumar S/o Prabhunath Prasad @ Prabhu Nath Rai,
Resident of Village - Hussepur, P.S. - Amnour, District -
Saran, Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ramesh Kumar Mahto, S/o Sri Anant Prasad Mahto,
resident of village - Shetala, P.S. - Bhagwanpur (Hatt),
District - Siwan at present S.I. - Cum- SHO Dariyapur P.S.,
District - Saran.

.... Respondent/s

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Appearance :

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

For the Respondent/s: Mr. Atul Chandra (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 13.08.2015

Heard learned counsel for the Petitioner and the
State.

This revision application has been filed for setting
aside the judgment and order dated 27.02.2015 passed
by the District and Sessions Judge, Saran at Chapra in
Cr. Appeal (Juvenile) No. 18 of 2015, by which he has
affirmed the order dated 15.01.2015 passed by the
Juvenile Justice Board, Saran at Chapra in J.Tr. No.
1241 of 2015 (J.J.B. Case No. 1451 of 2014 arising out of
Dariyapur P.S. Case No. 263 of 2014, G.R. No. 6074 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 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 Juvenile Justice Board, Saran at Chapra in connection with J.Tr. No. 1241 of 2015 (J.J.B. Case No. 1451 of 2014) arising out of Dariyapur P.S. Case No. 263 of 2014 (G.R. No. 6074 of 2014) 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 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 27.02.2015 passed by the District and Sessions Judge, Saran at Chapra in Cr. Appeal (Juvenile) No. 18 of 2015, by which he has affirmed the order dated 15.01.2015 passed by the Juvenile Justice Board, Saran at Chapra in J.Tr. No. 1241 of 2015 (J.J.B. Case No. 1451 of 2014 arising out of Dariyapur P.S. Case No. 263 of 2014, G.R. No. 6074 of 2014) is, hereby, set aside.

(Anjana Prakash, J.)

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