

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No. 820 of 2015

=====

Vinay Kumar @ Vinay Yadav Son of Shree Umesh Yadav,
Resident of Village- Abidbigaha, P.S.- Pakribarawan, Dist.-
Nawada under the Guardianship of his mother namely Sarbila
Devi.

.... Petitioner/s

Versus

The State of Bihar.

.... Respondent/s

=====

Appearance :

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

For the Respondent/s: Mr. Choubey Jawahar (APP)

=====

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 28.08.2015 passed
by the District and Sessions Judge, Nawada in Cr. Appeal
(Juvenile) No. 19 of 2015, by which he has affirmed the
order dated 10.06.2015 passed by the Juvenile Justice
Board, Nawada in G.R. No. 989 of 2015 arising out of
Pakaribarawan P.S. Case No. 64 of 2015, by which he has
refused to release the Petitioner.

Considering the genesis of the occurrence and
the fair antecedents of the Petitioner, let him 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, Nawada in G.R. No. 989 of 2015 arising



out of Pakaribarawan P.S. Case No. 64 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 dated 28.08.2015 passed by the District and Sessions Judge, Nawada in Cr. Appeal

(Juvenile) No. 19 of 2015, by which he has affirmed the order dated 10.06.2015 passed by the Juvenile Justice Board, Nawada in G.R. No. 989 of 2015 arising out of Pakaribarawan P.S. Case No. 64 of 2015 is, hereby, set aside.



(Anjana Prakash, J.)

Vikash/-

U		T	
---	--	---	--