

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.74 of 2015

Arising Out of PS.Case No. 29 Year- 2014l Thana Khudaganj District- NALANDA
(BIHARSHARIFF)

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Mantu Mahto @ Mantu Kumar Minor Son of Rameshwar Mahto, Resident of
Village - Baira, Police Station- Khudaganj, District -Nalanda, through Radha Devi
Mother and Natural Gurdian.

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Dayal, Adv.

For the State : Mr. Dilip Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 16-04-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks revision of the order dated
15.12.2014 passed by the 5th Additional District & Sessions Judge,
Nalanda at Biharsharif, in Criminal Appeal No. 58 of 2014 by which
he has affirmed the order dated 7.11.2014 passed by the Juvenile
Justice Board, Nalanda at Bihar Sharif, in connection with JJB Case
No. 201 of 2014 arising out of Khudaganj P.S. Case No. 29 of 2014.

Considering that apart from suspicion, there is no
cogent material against the Petitioner who has fair antecedent, 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, Nalanda at Biharsharif, in connection with JJB Case No. 201 of 2014 arising out of Khudaganj P.S. Case No. 29 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 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.

The application stands allowed and the entire Proceeding including Judgment dated 15.12.2014 passed by the 5th

Additional District & Sessions Judge, Nalanda at Bihar Sharif, in Criminal Appeal No. 58 of 2014 as well as the order dated 7.11.2014 passed by the Juvenile Justice Board, Nalanda at Bihar Sharif, in connection with JJB Case No. 201 of 2014 arising out of Khudaganj P.S. Case No.29 of 2014, are hereby set aside.

(Anjana Prakash, J)

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