

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Revision No. 627 of 2015**

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Gajendra Kumar @ Gajendra Yadav Son of Rajesh Yadav,  
Residents of Village- Tekaura, P.S.- Makhdumpur, District-  
Jehanabad under the guardianship of Malti Devi, mother of  
the petitioner and guardian W/o Rajesh Yadav Residents of  
Village- Tekaura, P.S.- Makhdumpur, District- Jehanabad.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Respondent/s

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**Appearance :**

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

For the Respondent/s: Mr. L.K. Sharma (APP)

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

**03. 24.09.2015**

Heard learned counsel for the Petitioner and the  
State.

This revision application has been filed for setting  
aside the judgment and order dated 24.07.2015 passed  
by the Additional Sessions Judge-IV, Jehanabad in Cr.  
Appeal No. 16 of 2015, by which he has affirmed the  
order dated 26.06.2015 passed by the Juvenile Justice  
Board, Jehanabad in G.R. No. 904 of 2015/E.R. No. 31(J)  
of 2015 arising out of Makhdumpur P.S. Case No. 107 of  
2015, by which he has refused to release the Petitioner.

Considering that the Petitioner's mother  
undertakes his responsibility, let the Petitioner, above  
named 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 Juvenile Justice Board, Jehanabad in connection with  
G.R. No. 904 of 2015/E.R. No. 31(J) of 2015 arising out of



Makhdumpur P.S. Case No. 107 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 mother of the Petitioner namely Malti Devi. 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.

Accordingly, the revision application is allowed and the judgment and order dated 24.07.2015 passed by the Additional Sessions Judge-IV, Jehanabad in Cr. Appeal No. 16 of 2015, by which he has affirmed the order

dated 26.06.2015 passed by the Juvenile Justice Board,  
Jehanabad in G.R. No. 904 of 2015/E.R. No. 31(J) of 2015  
arising out of Makhdumpur P.S. Case No. 107 of 2015 is,  
hereby, set aside.



Vikash/-

**(Anjana Prakash, J.)**

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