

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.286 of 2016

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Virendar Kumar @ Virendra Kumar @ Vinda son of Darshan Rai, juvenile
under the guardianship of his natural father Darshan Rai, resident of village
Maddudabad, P.S. Mohiuddin Nagar, District Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate
For the Respondent/s : Mr. M.Haque, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 07-04-2016

Heard learned Counsel for the petitioner and the State.

This revision application has been filed for setting aside
the judgment 14.12.2015 passed by the Sessions Judge,
Samastipur in Criminal Appeal No.75 of 2015, by which he has
affirmed the order dated 28.9.2015 passed by the Principal
Magistrate, Juvenile Justice Board, Samastipur in Juvenile
Enquiry No.1225 of 2015 arising out of Pattori P.S. case No.336
of 2015, by which he has refused to release the Petitioner.

Considering the fair antecedents of the Petitioner and
that his father 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 to the
satisfaction of learned Principal Magistrate, Juvenile Justice
Board, Samastipur in Juvenile Enquiry No.1225 of 2015 arising

out of Pattori P.S. case No.336 of 2015, subject to the conditions

(i) That one of the bailor shall be the father of the Petitioner and the other bailor 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 undertake to furnish information to the Court about any change in 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 bail on 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 if he fails to do so on two consecutive dates, his bond will be liable to be cancelled.

Accordingly, the revision application is allowed and the judgment 14.12.2015 passed by the Sessions Judge, Samastipur in

Criminal Appeal No.75 of 2015 as also the order dated 28.9.2015 passed by the Principal Magistrate, Juvenile Justice Board, Samastipur in Juvenile Enquiry No.1225 of 2015 arising out of Pattori P.S. case No.336 of 2015 is, hereby, set aside.

(Anjana Prakash, J)

Narendra/-

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