

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.263 of 2016

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1. Aditya Patel S/o Uma Shankar Mahto @ Uma Shankar Patel, Resident of village Ramchandra, P.S. Kurhani, District- Muzaffarpur, Bihar, through his father and natural guardian Sri Uma Shankar Mahto @ Uma Shankar Patel, Resident of village Ramchandra, P.S. Kurhani, District- Muzaffarpur, Bihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate
Mr. Avinash Shekhar, Advocate

For the Respondent/s : Mr. Parmanand Prasad, 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 order dated 18.2.2016 passed by the Sessions Judge, Muzaffarpur in Criminal Appeal No.05 of 2016, by which he has affirmed the order dated 18.1.2016 passed by the Juvenile Justice Board, Muzaffarpur in Mushahari P.S. case No.156 of 2015, by which he has refused to release the Petitioner.

Considering the weak nature of material against the Petitioner and the undertaking of his father, 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 Juvenile Justice Board, Muzaffarpur in



connection with Mushahari P.S. case No.156 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 order dated 18.2.2016 passed by the Sessions Judge, Muzaffarpur

in Criminal Appeal No.05 of 2016 as also the order dated 18.1.2016 passed by the Juvenile Justice Board, Muzaffarpur in Mushahari P.S. case No.156 of 2015 is, hereby, set aside.

(Anjana Prakash, J)

Narendra/-

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