

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No. 451 of 2015

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Rajbansi Yadav @ Rajbansi Kumar, Son of Ramashish Yadav,
Resident of Mushharniya Nayatola, Police Station-Phulpara,
District-Madhubani under the guardianship of Ramashish
Yadav who is natural guardian and father of the petitioner.

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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with

Criminal Revision No. 525 of 2015

Arising out of P.S. Case No. -56 Year- 2014 Thana -Nirmali
District- SUPAUL

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Mukesh Kumar @ Mukesh Kumar Yadav Son of Yogendra
Prasad Yadav, resident of village - Gidha, P.S. - Gobardiha,
District - Madhubani through under the gurdianship of his
father Yogendra Prasad Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

(In CR. REV. No.451 of 2015)

For the Petitioner/s : Mr. Hira Jha, Adv.

For the Respondent/s: Mr. Ajay Kumar-II (APP)

(In CR. REV. No.525 of 2015)

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

For the Respondent/s: Mr. Nand Kishore Pd. (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

04. 03.02.2016

Heard learned counsel for the Petitioners,
Informant and the State.

This revision application has been filed for setting
aside the judgment and order dated 17.03.2015 passed
by the Additional District & Sessions Judge-II, Supaul in
Cr. Appeal (Juvenile) No. 02 of 2014/01 of 2015, by

which he has affirmed the order dated 15.10.2014 passed by the Juvenile Justice Board, Supaul in (G.R. No. 442 of 2014/E.R. 161 of 2014) arising out of Nirmali P.S. Case No. 56 of 2014, by which he has refused to release the Petitioners.

Considering that the Petitioners' father-in-law/father undertake their responsibility, let them be released on furnishing bail bonds of Rs. 5,000/- (Five Thousand) each with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction of Juvenile Justice Board, Supaul in G.R. No. 422 of 2014/E.R. 161 of 2014 arising out of Nirmali P.S. Case No. 56 of 2014 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the Petitioners who will give an affidavit giving genealogy as to how he is related with the Petitioners and the other bailor shall be the father-in-law/father of the Petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioners. (ii) That the affidavit shall clearly state that the Petitioners are not accused in any other case and if they are they shall not be released on bail. (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioners are implicated in any other case of similar nature after their 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 Petitioners will give an undertaking that they will receive the police papers on the given date and be present on date fixed for charge and if they fail to do so on two given dates and delays the trial in any manner, their bail will be liable to be cancelled for reasons of misuse. (v) That the Petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

Accordingly, the revision application is allowed and the judgment and order dated 17.03.2015 passed by the Additional District & Sessions Judge-II, Supaul in Cr. Appeal (Juvenile) No. 02 of 2014/01 of 2015, by which he has affirmed the order dated 15.10.2014 passed by the Juvenile Justice Board, Supaul in G.R. No. 422 of 2014/E.R. 161 of 2014 arising out of Nirmali P.S. Case No. 56 of 2014 is, hereby, set aside.

(Anjana Prakash, J.)

Vikash/-

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