

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.752 of 2015

Arising Out of PS.Case No. -null Year- null Thana -null District- SITAMARHI

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Md. Abarar under guardianship of Md. Ijharul Haque, resident of village Hirauli,
Police Station Pupri, District Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kuamr, Advocate

For the Respondent/s : Mr. Pradip Nr. Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 19-04-2016

Heard learned Counsel for the petitioner and the State.

This revision application has been filed for setting aside the judgment dated 4.7.2015 passed by the 3rd Additional District & Sessions Judge, Sitamarhi in Criminal Appeal No.46 of 2015/ 09 of 2015 (Reg. No.56 of 2015), by which he has affirmed the order dated 9.6.2015 passed by the Juvenile Justice Board, Sitamarhi in Juvenile Justice Board case No.1070 of 2015 arising out of Pupri P.S. case No.262 of 2013, by which he has refused to release the Petitioner.

Considering the period of custody of 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, Sitamarhi in connection with Juvenile Justice Board case



No.1070 of 2015 arising out of Pupri P.S. case No.262 of 2013, 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 dated 4.7.2015 passed by the 3rd Additional District & Sessions Judge, Sitamarhi in Criminal Appeal No.46 of 2015/ 09 of

2015 (Reg. No.56 of 2015) as also the the order dated 9.6.2015 passed by the Juvenile Justice Board, Sitamarhi in Juvenile Justice Board case No.1070 of 2015 arising out of Pupri P.S. case No.262 of 2013) is, hereby, set aside.

(Anjana Prakash, J)

Narendra/-

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