

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.709 of 2015

Arising Out of PS.Case No.149 Year 2014 Thana Chakia District- EAST CHAMPARAN (MOTIHARI)

Sonu Kumar @ Sonu Kumar Singh, S/o- Prabhunath Singh, Resident of Village-
Bijulpur, P.S- Baikunthpur, District- Gopalganj under the guardianship of his Uncle
(Fufa) Rama Singh, S/o Late Ram Charitar Singh, R/o Vill- Delho, P.S. Madhuban,
Distt- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.

For the State : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 10-05-2016

Heard learned counsel for the Petitioner and the State.

This revision application has been filed for setting aside
the Judgment and order dated 10.12.2014 passed by the Sessions
Judge, East Champaran (Motihari) in Criminal Appeal (Juvenile) No.
115 of 2014/000179 of 2014, by which he has affirmed the order
dated 12.11.2014 passed by the Juvenile Justice Board, East
Champaran (Motihari) in Trial No. 853 of 2014 arising out of Chakia
P.S. case no. 149 of 2014, by which he has refused to release the
Petitioner.

Considering the facts of the case as also that since the
Petitioner has fair antecedents, let him be released on furnishing bond



of Rs.5,000/- (Five thousand) with two sureties of the like amount each to the satisfaction of Juvenile Justice Board, East Champaran (Motihari) in Trial No. 853 of 2014 arising out of Chakia P.S. case No. 149 of 2014 subject to the 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 shall be the uncle (Fufa) of the Petitioner namely Rama Singh. 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 10.12.2014 passed by the Sessions Judge, East Champaran (Motihari) in Criminal Appeal (Juvenile) No. 115 of 2014/000179 of 2014, as also the order dated 12.11.2014 passed by the Juvenile Justice Board, East Champaran (Motihari) in Trial No. 853 of 2014 arising out of Chakia P.S. case no. 149 of 2014, is, hereby, set aside.

(Anjana Prakash, J)

S.Ali/-

AFR/NAFR	NAFR
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