

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.801 of 2015

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

1. Anil Rai @ Laloo Rai @ Laloo Kumar Son of Nawal Kishore Prasad Yadav @ Awadh Kishore Prasad Yadav @ Nawal Rai, Resident of Village - Dharmuha, P.S.- Kudhani, District - Muzaffarpur under guardian ship of Nawal Kishore Prasad Yadav @ Awadh Kishore Prasad Jadu @ Nawal Rai

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Anish Chandra, Advocate

For the Respondent/s : Mr. Subhash Chandra Mishra, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 14-07-2016

Heard learned Counsel for the petitioner and the State.

This revision application has been filed for setting aside the judgment dated 15.7.2015 passed by the Sessions Judge, Muzaffarpur in Criminal Appeal No.51 of 2015, by which he has affirmed the order dated 26.5.2015 passed by the Juvenile Justice Board, Muzaffarpur in Brahampura P.S. case No.263 of 2014 (G.R. No.5960 of 2014), by which he has refused to release the Petitioner.

Considering the period of confinement of the Petitioner and the undertaking of his maternal brother Navin Kumar Yadav, 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 Brahampura P.S. case No.263 of 2014 (G.R. No.5960 of 2014), subject to the conditions (i) That one of the bailor shall be Navin Kumar Yadav, maternal brother 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 15.7.2015 passed by the Sessions Judge, Muzaffarpur

in Criminal Appeal No.51 of 2015 as also the order dated 26.5.2015 passed by the Juvenile Justice Board, Muzaffarpur in Brahampura P.S. case No.263 of 2014 (G.R. No.5960 of 2014) is, hereby, set aside.

Let the case diary be remitted to the court below immediately.

(Anjana Prakash, J)

Narendra/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	16.07.2016
Transmission Date	16.07.2016