

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No. 968 of 2015

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Sarvjeet Ram S/o Indradeo Ram R/o Village - Bhumihara, P.S.
Baniyapur, District Saran under the guardianship of his father
Indradeo Ram. Petitioner/s

Versus

The State of Bihar. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.

For the Respondent/s: Mr. R.B. Roy "Raman" (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

03. 08.02.2016

Heard learned counsel for the Petitioner and the State.

This revision application has been filed for setting aside the judgment and order dated 21.09.2015 passed by the Sessions Judge, Saran at Chapra in Cr. (Juvenile) Appeal No. 110 of 2015, by which he has affirmed the order dated 10.08.2015 passed by the Juvenile Justice Board, Saran at Chapra in arising out of Baniyapur P.S. Case No. 4 of 2015 (JJB Case No. 1358 of 2015), by which he has refused to release the Petitioner.

In view of the statement recorded under Section 164 Cr.P.C., let the Petitioner, above named be released on furnishing bail bond of Rs. 5,000/- (Five Thousand) with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction of Juvenile Justice Board, Saran at Chapra in arising out of Baniyapur P.S. Case No. 4 of 2015 (JJB Case No. 1358 of 2015) subject to the following 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. 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 on bail. (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 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 bail 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 bail will be liable to be cancelled.

Accordingly, the revision application is allowed and the judgment and order dated 21.09.2015 passed by the Sessions Judge, Saran at Chapra in Cr. (Juvenile) Appeal No. 110 of 2015, by which he has affirmed the order dated 10.08.2015 passed by the Juvenile Justice Board, Saran at Chapra in arising out of Baniyapur P.S. Case No. 4 of 2015 (JJB Case No. 1358 of 2015) is, hereby, set aside.

Vikash/-

(Anjana Prakash, J.)

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