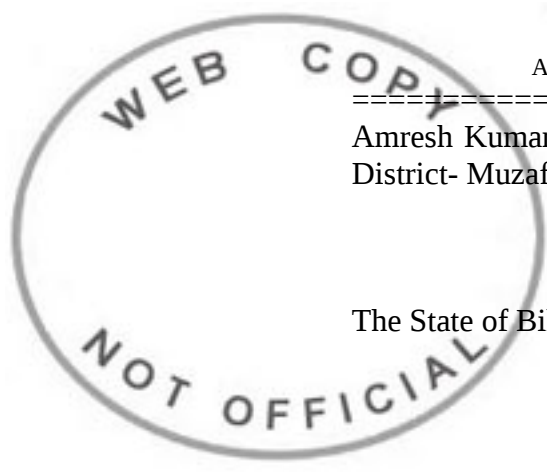




IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.49 of 2016

Arising Out of PS.Case No.100 Year 2015 Thana Paroo District- MUZAFFARPUR

Amresh Kumar, son of Umasankar Sah, resident of Village- Jamuna, P.S.- Paroo, District- Muzaffarpur, under his guardianship namely his father Umashankar Sah

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

with

Criminal Revision No. 988 of 2015

Arising Out of PS.Case No. 100 Year 2015 Thana Paroo District- MUZAFFARPUR

Md. Saddam under guardianship of his father Md. Naim R/o Village Bahdinpur, P.s. Paroo, District-Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

Appearance :
(In CR. REV. No. 49 of 2016)
For the Petitioner/s : Mr. Prabhat Kumar Singh, Adv.
For the State : Mr. B.N. Pandey, A.P.P.
(In CR. REV. No. 988 of 2015)
For the Petitioner/s : Mr. Sanjay Kumar Singh, Adv.
For the State : Mr. Kanhaiya Kishore, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL JUDGMENT
Date: 17-03-2016

Heard learned counsel for the Petitioners and the State.

This revision application has been filed for setting aside the Judgment and orders dated 15.9.2015 passed by the Additional Sessions Judge, Muzaffarpur, in Criminal Appeal No. 75 of 2015 and

Cr. Appeal 80 of 2015 analogously, by which he has affirmed the order dated 24.7.2015 passed by the Juvenile Justice Board, Muzaffarpur, in G.R. No. 877 of 2015 arising out of Paroo P.S. Case No. 100 of 2015, by which he has refused to release the Petitioners.

Considering that the alleged victim was recovered immediately thereafter and the Petitioners have fair antecedents, let the Petitioners above named be released on furnishing bond of Rs.5,000/- (Five thousand) each with two sureties of the like amount each to the satisfaction of Juvenile Justice Board, Muzaffarpur, in connection with Paroo P.S. Case No. 100 of 2015 subject to the 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. 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. (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 release 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 release 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 release will be liable to be cancelled.

Accordingly, the revision application is allowed Judgment and orders dated 15.9.2015 passed by the Additional Sessions Judge, Muzaffarpur, in Criminal Appeal No. 75 of 2015 and Cr. Appeal 80 of 2015 analogously as also the order dated 24.7.2015 passed by the Juvenile Justice Board, Muzaffarpur, in G.R. No. 877 of 2015 arising out of Paroo P.S. Case No. 100 of 2015, by which he has refused to release the Petitioners, are hereby, set aside.

(Anjana Prakash, J)

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