

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.403 of 2015

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Sanjeev Kumar Sharma, son of Shiv Nandan Sharma, resident of village Haripur Kadrabad, P.S. Bachhawara, Distt. Begusarai, through his father namely Shiv Nandan Sharma as his natural guardian.

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma

For the Respondent/s : Mr. Arvind Kr.Pandey(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

6 03-02-2016 Heard learned counsel for the Petitioner and the State.

This revision application has been filed for setting aside the Judgment and order dated 30.3.2015 passed by the Sessions Judge, Begusarai in Cr. Appeal No. 43 of 2015 by which he has affirmed the order dated 18.2.2015 passed by the Juvenile Justice Board, Begusarai, in connection with Bachhawara P.S. Case No. 82 of 2014 (G.R. No. 2041 of 2014), by which he has refused to release the Petitioner.

Considering that the only material which has transpired against the Petitioner is the confessional statement of the co-accused and the Petitioner's father Shiv Nandan Sharma undertakes his responsibility, 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 Sri Prakash, Judicial Magistrate 1st Class, the Chief Member of Juvenile Justice Board, Begusarai, or his successor, in connection with Bachhawara P.S. Case No. 82 of 2014 (G.R. No. 2041 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. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner. (ii) 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. (iii) 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. (iv) 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 30.3.2015 passed by the Sessions

Judge, Begusarai, in Cr. Appeal No. 43 of 2015 as also the order dated 18.2.2015 passed by the Judicial Magistrate, 1st Class, the Chief Member of Juvenile Justice Board, Begusarai, in connection with Bachhawara P.S. Case No. 82 of 2014 (G.R. No. 2041 of 2014, are hereby, set aside.

S.Ali/-

(Anjana Prakash, J)

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