

# IN THE HIGH COURT OF JUDICATURE AT PATNA

## Criminal Revision No.617 of 2016

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

- =====
1. Sujeet Kumar
  2. Ajit Kumar, both sons of Sant Lal Mahto, under guardianship of Vijay Kumar, son of late Yadu Nandan Mahto, cousin brother of petitioners, both resident of village Megh Ratwara, Police Station Pear, District Muzaffarpur
- .... .... Petitioner/s

Versus

The State of Bihar .... .... Respondent/s

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### Appearance :

For the Petitioner/s : Mr. Satish Narayan Sinha, Advocate

For the Respondent/s : Mr. Anil Kumar Singh 1, APP

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**

ORAL JUDGMENT

**Date: 14-07-2016**

Heard learned Counsel for the petitioners and the State.

This revision application has been filed for setting aside the order dated 4.5.2016 passed by the Sessions Judge, Muzaffarpur in Criminal Appeal No.33 of 2016, by which he has affirmed the order dated 2.4.2016 passed by the Juvenile Justice Board, Muzaffarpur in Pear P.S. case No.2 of 2010, by which he has refused to release the Petitioners.

Considering the merits of the case, 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 learned Juvenile Justice Board, Muzaffarpur in connection with Pear P.S. Case No.2 of 2010, subject to the conditions (i) That one of the bailor 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 undertake to furnish information to the Court about

any change in address of the petitioners, (ii) That the affidavit shall clearly state that the petitioners are not an accused in any other case and if they are they shall not be released on bail, (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 bail on 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 delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse, (v) That the petitioners will be well represented on each date if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

Accordingly, the revision application is allowed and the order dated 4.5.2016 passed by the Sessions Judge, Muzaffarpur in Criminal Appeal No.33 of 2016 as also the order dated 2.4.2016 passed by the Juvenile Justice Board, Muzaffarpur in Pear P.S. case No.2 of 2010 is, hereby, set aside.

Narendra/-

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**(Anjana Prakash, J)**