

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.590 of 2016

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

1. Sumit Kumar Son of Anil Verma under the guardianship of his father namely also Anil Verma, resident of village / Mohalla - Budhiya Mai (Manpur Bazar), P.S. Buniyadganj, Distt. Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Respondent/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 24-06-2016

Heard learned Counsel for the petitioner and the State.

This revision application has been filed for setting aside the order dated 26.5.2016 passed by the Sessions Judge, Gaya in Criminal Appeal (Juvenile) No.26 of 2016, by which he has affirmed the order dated 17.3.2016 passed by the Juvenile Justice Board, Gaya in G.R. No.1040 of 2016/ Misc. case No.34 of 2016 in connection with Buniyadganj P.S. case No.32 of 2016, by which he has refused to release the Petitioner.

In view of the statement of the alleged victim recorded under Section 164 Cr.P.C., 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, Gaya in connection with G.R. No.1040 of 2016/ Misc. case No.34 of 2016 in connection with Buniyadganj P.S. case No.32 of 2016, subject to the conditions (i) That one of the 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 order dated 26.5.2016 passed by the Sessions Judge, Gaya in Criminal Appeal (Juvenile) No.26 of 2016 as well as the order dated 17.3.2016

passed by the Juvenile Justice Board, Gaya in G.R. No.1040 of 2016/
Misc. case No.34 of 2016 in connection with Buniyadganj P.S. case
No.32 of 2016 is, hereby, set aside.

(Anjana Prakash, J)

Narendra/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	28.06.2016
Transmission Date	28.06.2016