

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.69 of 2016

Arising Out of P.S. Case No.52 Year 2015 Thana Doriganj District- SARAN

1. Kaushal Kumar @ Koushil Rai
2. Sushil Kumar @ Soshil Kumar, Both S/o Shri Kalika Rai,
Both minors are under the natural guardianship of their father Kalika Rai
Both R/o Village- Badalpura, Dariyawganj, P.S.- Doriganj, District- Saran at
Chapra

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar, Adv.

For the State : Mr. Indra Kr. Singh, 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 order dated 9.12.2015 passed by the 1st Additional Sessions judge, Saran at Chapra, in Cr. (Juvenile) Appeal No. 141 of 2015, by which he has affirmed the order dated 2.11.2015 passed by the Juvenile Justice Board, Saran, in JJB Case No. 1419 of 2015 arising out of Doriganj P.S. Case No. 52 of 2015 by which he has refused to release the Petitioners.

Considering that 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, Saran, in connection with JJB Case No. 1419 of 2015 arising out of Doriganj P.S. Case No. 52 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 and the Judgment and order dated 9.12.2015 passed by the 1st Additional

Sessions judge, Saran at Chapra, in Cr. (Juvenile) Appeal No. 141 of 2015 as also the order dated 2.11.2015 passed by the Juvenile Justice Board, Saran, in JJB Case No. 1419 of 2015 arising out of Doriganj P.S. Case No. 52 of 2015, are hereby, set aside.

(Anjana Prakash, J)

S.Ali/-

U		T	
---	--	---	--