

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.57 of 2016

Arising Out of PS.Case No.114 Year- 2015 Thana Minapur District- MUZAFFARPUR

Sonu Kumar, Son of Sri Shambhu Rai, Resident of village- Bishunpur Kesho, P.S. Minapur, District- Muzaffarpur through its legal Guardian namely Shambhu Rai S/o Dhanu Rai, Resident of village- Bishunpur Kesho, P.S. Minapur, District- Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Adv.

For the State : Ms. Meena Singh, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 11-02-2016

Heard learned counsel for the Petitioner and the State.

This revision application has been filed for setting aside the order dated 27.11.2015 passed by the Sessions Judge, Muzaffarpur, in Criminal Appeal No. 93 of 2015 by which he has affirmed the order dated 30.9.2015 passed by the Juvenile Justice Board, Muzaffarpur, in connection with Minapur P.S. Case No. 114 of 2015, by which he has refused to release the Petitioner.

Considering that the Petitioner's mother undertakes his responsibility and he has fair antecedents, 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



Juvenile Justice Board, Muzaffarpur, in connection with Minapur P.S. Case No. 114 of 2015 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 and the other shall be the mother of 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 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 release on the 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 release will be liable to be cancelled for reasons of misuse. (v) 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 order dated 27.11.2015 passed by the Sessions Judge, Muzaffarpur, in

Criminal Appeal No. 93 of 2015 as also the order dated 30.9.2015
passed by the Juvenile Justice Board, Muzaffarpur, in Minapur P.S.
Case No. 114 of 2015 are, hereby, set aside.

(Anjana Prakash, J)

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