

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.829 of 2015

Arising Out of PS.Case No. -580 Year- 2014 Thana -null District- SUPAUL

1. Raja Ram @ Raja Kumar Son of Sahdeo Ram @ Sukhdeo Ram, through his father and natural guardian, Sahdeo Ram @ Sukhdeo Ram, Son of Late Jamun Ram resident of village - Malhani, Police Station & District - Supaul

.... Petitioner/s

Versus

1. The State of Bihar
2. Sudama Devi Wife of Late Jhamu Mandal resident of village - Malhani, Police Station & District - Supaul

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Respondent/s : Mr. A. Dayal, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 29-02-2016

Heard learned Counsel for the petitioner and the State.

This revision application has been filed for setting aside the judgment dated 29.7.2015 passed by the Adhoc Additional Sessions Judge-I, Supaul in Criminal Appeal No.05 of 2015, by which he has affirmed the order dated 16.6.2015 passed by the Juvenile Justice Board, Supaul in connection with Supaul P.S. case No.580 of 2014, by which he has refused to release the Petitioner.

Considering that the father of the Petitioner undertakes his responsibility and the Petitioner 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 learned Juvenile Justice Board, Supaul in connection with Supaul P.S. Case No.580 of 2014, subject to the conditions (i) That one of the bailor shall be the father of the Petitioner and the other 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.

In view of the nature of allegations, the petitioner is directed to appear before the Superintendent of Police, Supaul within fifteen days of his release with a copy of this order and every two weeks

thereafter for the next six months. The conduct of the petitioner will be kept under watch in this period by the superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

Accordingly, the revision application is allowed and the judgment dated 29.7.2015 passed by the Adhoc Additional Sessions Judge-I, Supaul in Criminal Appeal No.05 of 2015 as also the order dated 16.6.2015 passed by the Juvenile Justice Board, Supaul in connection with Supaul P.S. case No.580 of 2014 is, hereby, set aside.

(Anjana Prakash, J)

Narendra/-

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