

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.815 of 2015

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Santosh Kumar S/o Mishri Lal Rai resident of Vill. - Sadha Mishri Tola,
P.S. - Motipur, Dist. - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

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

For the Respondent/s : Mr. Nand Kumar(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

4 17-03-2016 The petitioner seeks revision of the order dated 07.07.2015 passed by the Sessions Judge, Motihari, East Champaran in Cr. App.(Juvenile) No. 75 of 2015 and order dated 05.06.2015 passed by the Juvenile Justice Board, Motihari in Tr. No. 862 of 2015 arising out of Pipra P.S. Case No. 14 of 2013, G.R. Case No. 295 of 2013.

Considering that apart from confessional statement of the co-accused, there is no direct material against the petitioner and that Ramesh Kumar, brother of the petitioner undertakes his responsibility, let the petitioner above named, be released on furnishing bond of Rs.5,000/-(Five Thousand) with two sureties of the like amount each or any other surety to be fixed by the Court below to the satisfaction of the Juvenile Justice Board, Motihari in connection with Cr. App. (Juvenile) No. 75 of 2015,

Tr. No. 862 of 2015 arising out of Pipra P.S. Case No. 14 of 2013, G.R. No. 295 of 2013 subject to the conditions:

1. 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 another will be brother of the petitioner who will undertake to furnish information to the court about any change in the address of the petitioner,

2. That the bailors 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 bond on the ground of misuse,

3. 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.

4. That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bond will be liable to be cancelled.

In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police,

Motihari, East Champaran 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 stands allowed and the order dated 07.07.2015 passed by the Sessions Judge, Motihari, East Champaran in Cr. App.(Juvenile) No. 75 of 2015 and order dated 05.06.2015 passed by the Juvenile Justice Board, Motihari in Tr. No. 862 of 2015 arising out of Pipra P.S. Case No. 14 of 2013, G.R. Case No. 295 of 2013, are hereby set aside.

(Anjana Prakash, J)

Prakash/-

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