

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No. 102 of 2016

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Mantun Kumar @ Muntun Kumar @ Muntun Paswan S/o Sri Dilip Paswan, R/o Village- Sakari Saraiyan, Tole- Bintolia,, O.P. Turki, P.S. Kudhani, Distt- Muzaffarpur, under the Guardianship of his father Sri Dilip Paswan..... Petitioner/s

Versus

The State of Bihar Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Adv.

For the Respondent/s: Mr. Renu Kumari (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 23.02.2016

Heard learned counsel for the Petitioner and the State.

This revision application has been filed for setting aside the judgment and order dated 15.12.2015 passed by the Sessions Judge, Muzaffarpur in Cr. Appeal No. 103 of 2015, by which he has affirmed the order dated 05.11.2015 passed by the Juvenile Justice Board, Muzaffarpur in Kurhni P.S. Case No. 321 of 2015, by which he has refused to release the Petitioner.

Considering the affidavit of the father of the Petitioner that he is required to appear in the examination to commence from tomorrow, let the Petitioner, above named be released on furnishing bail bond of Rs. 5,000/- (Five Thousand) with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction of Juvenile Justice Board, Muzaffarpur in Kurhni P.S. Case No. 321 of 2015 subject to the following 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 bailor shall be the father 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 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 the ground of misuse. (iii) 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 bail will be liable to be cancelled for reasons of misuse. (iv) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

Accordingly, the revision application is allowed I.A. No. 453 of 2016 stands disposed off and the judgment and order dated 15.12.2015 passed by the Sessions Judge, Muzaffarpur in Cr. Appeal No. 103 of 2015, by which he has affirmed the order dated 05.11.2015 passed by the Juvenile Justice Board, Muzaffarpur in Kurhni P.S. Case No. 321 of 2015 is, hereby, set aside.

(Anjana Prakash, J.)

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