

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.902 of 2015

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1. Govind Kr Ojha @ Govind Ojha under the guardianship of his father Vijay Ojha, petitioner in son of Vijay Ojha resident of village - Barti Semra, P.S. - Palanwa, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Respondent/s : Mr. Vinod Shankar Modi(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 17-03-2016 The petitioner seeks revision of the order dated 25.08.2015 passed by the Additional Sessions Judge, XI, East Champaran, Motihari in Cr. Appeal No. 66 of 2015 and order dated 12.05.2015 passed by the Juvenile Justice Board, Motihari in connection with Palanwa P.S. Case No. 94 of 2013.

Considering the period of custody and the undertaking of the maternal uncle Bhulendra Bajpaje, let the petitioner above named, be provisionally 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. Appeal No. 66 of 2015 arising out of Palanwa P.S. Case No. 94 of 2013, Tr. No. 825 of 2015 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 bailor will be maternal uncle 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 the nature of the case, the petitioner is directed to appear before the Head Priest of local temple within fifteen days

of his provisionally release from jail custody for a period of six months and file a certificate about the same in the court below within the stipulated time. In case, the petitioner fails to file certificate about reporting to the Head Priest within two weeks of his release from jail custody, notice shall be sent to him for cancellation of bond. During the period of six months, the petitioner is expected to engage himself in fruitful activities under the guidance of the Head Priest, of the temple, and at the end of the six months, the petitioner will be required to file a certificate of his conduct in the court below granted by the Head Priest. If the certificate granted to the petitioner is found satisfactory, the court below will confirm the provisional bond of the petitioner or else will issue notice for cancellation of bond.

The revision application stands allowed and the order dated 25.08.2015 passed by the Additional Sessions Judge, XI, East Champaran, Motihari in Cr. Appeal No. 66 of 2015 and order dated 12.05.2015 passed by the Juvenile Justice Board, Motihari in Tr. No. 825 of 2015 arising out of Palanwa P.S. Case No. 94 of 2013, is hereby set aside.

(Anjana Prakash, J)

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