

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.859 of 2015

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Rajiv Kumar Chaudhary @ Rajiv Chaudhary @ Rajiv Kumar	 Petitioner/s
Versus	
The State of Bihar	 Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajan, Adv.

For the Respondent/s : Mr. Surendra Prasad Singh (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

5 17-03-2016 Learned counsel for the petitioner is permitted to make correction in paragraph no. 3 of the petition stating that there is one other case pending against him.

The petitioner seeks revision of the order dated 28.08.2015 passed by the 1st Additional Sessions Judge, Sitamarhi in Cr. App. No. 62 of 2015/11 of 2015 as also order dated 29.06.2015 passed by the Juvenile Justice Board, Sitamarhi in J.J.B. Case No. 1323 of 2015 arising out of Pupri P.S. Case No. 118 of 2015 under Sections 399/402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

Considering the period of custody and also that petitioner's father Sakal Chaudhary undertakes his responsibility, let him 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, Sitamarhi in connection with Juvenile Justice Board Case No. 1323 of 2015 corresponding to Pupari P.S. Case No. 118 of 2015 subject to the conditions:

1. That one of the bailors will be close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner and another bailor shall be the father of the petitioner who will undertake to furnish information to the court about any change in the address of the petitioner,

2. 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 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, Sitamarhi 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.

The revision application stands allowed and order dated 28.08.2015 passed by the 1st Additional Sessions Judge, Sitamarhi in Cr. App. No. 62 of 2015/11 of 2015 as also order dated 29.06.2015 passed by the Juvenile Justice Board, Sitamarhi in J.J.B. Case No. 1323 of 2015 arising out of Pupri P.S. Case No. 118 of 2015 are hereby set aside.

(Anjana Prakash, J)

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