

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.674 of 2016

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Durgesh Sah @ Bittu Kumar (Minor), S/o Rajesh Kumar Gupta, through his father and Natural Guardian Rajesh Kumar Gupta, S/o late Ramchandra Sah, Resident of Village- Balihar, P.S.- Surajpura (Dawath), District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. D.K. Sinha, Sr. Adv.
Mr. Abhinay Raj, Adv.

For the Respondent/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 09-01-2017 Heard the parties.

The petitioner has been declared to be a juvenile. He is aggrieved by an order, dated 10.06.2016, passed by learned Sessions Judge, Rohtas at Sasaram, in Cr. Appeal No. 27 of 2016, whereby, his appeal preferred against the order of Juvenile Justice Board, Rohtas at Sasaram, in connection with Suryapura P.S. Case No. 79 of 2015, seeking grant of bail has been rejected.



Learned senior counsel, appearing on behalf of the petitioner, has submitted that the petitioner's father and mother, his uncle and uncle's wife have been made accused in said case at the instance of another uncle apparently over some property dispute. He has contended that the petitioner has no criminal antecedent and rejection of bail on vague ground that he may fall into company of criminals, has no basis. He has also submitted that the father and mother of the petitioner are already on bail in connection with said Suryapura P.S. Case No. 79 of 2015.

Considering the above, this revision application is allowed. The order, dated 03.05.2016, passed by the Juvenile Justice Board, Rohtas at Sasaram, and the order, 10.06.2016, passed by the learned Sessions Judge, Rohtas at Sasaram, are set-aside.

Let the petitioner be released on bail on furnishing an affidavit by his father to the effect that he will look after the interest of the petitioner and will not allow him to fall in bad company. In addition to the affidavit, the father of the petitioner will also be required to furnish personal bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Juvenile Justice Board, Rohtas at Sasaram, in connection with J.J.B. Case No. 30 of 2016, arising out of Suryapura P.S. Case No. 79 of 2015 (G.R. Case



No. 1166 of 2015). It is made clear that only on furnishing of such affidavit and sureties, the petitioner, above named, shall be released on bail.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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