

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.374 of 2017

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Suman Kumar, son of Dinesh Kumar Gupta @ Dinesh Gupta, represented
through his father, as a natural guardian, resident of mohalla Pusa Bazar,
Police Station Pusa, District Samastipur Petitioner

Versus

The State of Bihar Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1
For the Respondent/s : Mr. Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 01-05-2017 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor, representing the
State.

The petitioner is a juvenile and is an accused in
a case punishable under Section 302 read with Section 34
of the Indian Penal Code, in connection with Pusa Police
Station Case No. 75 of 2016 (Juvenile Enquiry No. 1229 of
2016).

It is evident from the First Information Report
that he has been made accused of killing, along with his
parents. The deceased was the uncle of the petitioner. His
application for release on bail was rejected by the Juvenile
Justice Board, Samastipur, against which he had preferred
appeal, which also came to be rejected by an order, dated
10.03.2017, passed in Criminal Appeal No. 04 of 2017, by
the learned Sessions Judge, Samastipur, on the ground



that if released, he may fall in association with known criminals.

I have perused the impugned orders. There is no basis for coming to the conclusion that if released on bail, the petitioner will fall in association with known criminals. It also appears that the Probation Officer has reported nothing against the petitioner.

Considering the facts and circumstances of the case and nature of accusation, this revision application is allowed. The order, dated 10.03.2017, passed by the learned Sessions Judge, Samastipur, is 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, Samastipur, in connection with Juvenile Enquiry No. 1229 of 2016. On furnishing of such affidavit and sureties, the petitioner shall be released on bail.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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