

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.942 of 2017

=====

Sumiran @ Sumiran Kumar, through Guardian as Father namely Ashok Kumar, Son of Ashok Kumar, resident of Vilage- Ramdiri, Ward No. 2, P.S.- Matihani, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate.

For the Respondent/s : Mr. Arun Kumar Singh -5, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

7 22-05-2018 Heard learned counsel for the petitioner and learned counsel for the State.

This Revision application has been filed against the judgment and order dated 09.06.2017 passed in Cr. Appeal No. 46 of 2017 by the Learned Sessions Judge, Begusarai by which the learned Sessions Judge has affirmed the order dated 10.04.2017 passed by the Principal Magistrate, Jevenile Justice Board, in J.J.B. Case No.011 of 2017 arising out of Matihani P.S. Case no. 74 of 2015, G.R. No. 3039 of 2015 instituted for the offence under Section 302, 201, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act.

Perused the order of Principal Magistrate, Juvenile Justice Board as well as the Appellate Court.

It has been submitted that petitioner is not named in the written report. His name has come in the confessional statement of Vikky Mishra. The petitioner is in custody since 27.12.2016. It has



further been submitted that co-accused Kari Singh @ Karelal Singh whose name had surfaced on the basis of confessional statement of co-accused Vikky Mishra, has already been granted bail by a coordinate Bench of this Court vide order dated 27.04.2017 passed in Cr. Misc. 54926 of 2017. The petitioner has been declared Juvenile on 6.3.2017. It has further been submitted that petitioner is in custody since 27.12.2016.

In such circumstances, the orders passed by the Principal Magistrate, Juvenile Justice Board as well as the Learned Sessions Judge, are hereby set aside.

Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Principal Magistrate, Juvenile Justice Board, Begusarai**, in connection with **J.J.B. Case No.011 of 2017 arising out of Matihani P.S. Case No. 74 of 2015, G.R. No. 3039 of 2015**, subject to the condition that one of the bailors will be the close relatives of the petitioner and another will be father of the petitioner.

Accordingly, this Cr. Revision Application stands allowed.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

