

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.115 of 2019**

Arising Out of PS. Case No.-20 Year-2018 Thana- BHAIKAVSHTHAN District- Madhubani

Raj Kumar Yadav, aged about 17 years, (M), under the guardianship of his
mohter, namely, Amia Devi, son of Amiri Yadav Resident of Village- Ranti,
P.S.- Rajnagar, District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kr. Bharti, Adv.
	:	Ms. Kanchan Jha, Adv.
For the Respondent/s	:	Mr. Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 13-03-2019 Heard learned counsel for the parties.

The present revision application has been preferred by
the petitioner against the order dated **01.11.2018** passed by
learned Additional Sessions Judge-1st, Madhubani in Cr.
Appeal No. 62 of 2018 by which, the appeal of the petitioner
for grant of bail against the order dated **14.05.2018** of **Juvenile**
Justice Board, Madhubani in Enquiry No. 1002 of 2018
(G.R. No. 248 of 2018) arising out of **Bhairabsthan P.S. Case**
No. 20 of 2018 has been dismissed.

Informant who is the wife of deceased has alleged that



due to land dispute some altercation took place between husband (deceased), petitioner, brother-in-law and father-in-law of the informant and on instigation of her father-in-law Shivdhari Yadav, accused Binod Yadav, Sanjay Yadv, Ranjay Yadav, Amresh Yadav and Raj Kumar Yadav caught hold of her husband and started assaulting him and co-accused Ranjay Yadav assaulted her husband by means of *Chhura* as a result of which he was seriously injured and later on declared dead by doctor.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to dirty politics. Allegation against petitioner is general and omnibus in nature. Nothing has been recovered from his possession. It has been further submitted that similarly placed co-accused have been granted bail by co-ordinate Bench of this Court vide order dated 12.12.2018 passed in Cr. Misc. No. 64171 of 2018 and vide order dated 26.10.2018 passed in Cr. Misc. No. 64477 of 2018. Petitioner has got no criminal antecedent and is in custody since 06.03.2018.

According to the learned counsel for the petitioner, no fruitful purpose will be served if the petitioner is allowed to remain in the Remand Home. It has further been submitted on behalf of petitioner that from the record it does not appear that if



the petitioner is released, he will be exposed to mental, physical and psychological danger or is likely to bring him into association with any known criminal.

Considering the above, this revision application is allowed. The order dated **01.11.2018** passed by learned **Additional Sessions Judge-1st, Madhubani in Cr. Appeal No. 62 of 2018**, is set aside.

The petitioner, named above, is directed to be released from the Remand Home on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of learned **Juvenile Justice Board, Madhubani**, in connection with **Enquiry No. 1002 of 2018 (G.R. No. 248 of 2018) arising out of Bhairabsthan P.S. Case No. 20 of 2018**, subject to the condition that:-

One of the bailors of the petitioner shall be his father/mother who at the time of filing of the bonds, shall also give an undertaking that he/she will take good care of the petitioner and in case petitioner does not act as per his/her advice, he/she shall report the matter to the office-in-charge of the concerned police station and further during period of bail, the petitioner will be under the supervision of concerned Probation Officer.



This revision application stands allowed.

(S. Kumar, J)

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