

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.280 of 2019

Arising Out of PS. Case No.-42 Year-2018 Thana- KAJRA District- Lakhisarai *

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Gagan Kumar @ Gagan Kumar Paswan (M), aged about 17 years, Son of - Dilip Paswan, through his mother and natural guardian, namely, Aimagi Devi (F) aged about 51 years, Wife of - Dilip Paswan, Resident of Village- Arma, P.S.- Kajra, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Respondent/s : Mr. Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 26-03-2019

Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the order dated 09.01.2019 passed by learned Additional Sessions Judge -I-cum-Special Judge, Lakhisarai in Cr. Appeal No.02/19, by which, the appeal of the petitioner for grant of bail against the order dated 13.12.2018 of Juvenile Justice Board, Lakhisarai in Kajra P.S. Case No.42/18 (G.R. No. 1092/18) has been dismissed.

Informant has alleged that some unknown miscreants have kidnapped her husband along with his motorcycle.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. Petitioner is not named in the F.I.R. his name has surfaced in



this case on the confessional statement made by the co-accused, Raj Kumar and except said confessional statement, there is no any other incriminating material against the petitioner. Petitioner has no criminal antecedent.

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 09.01.2019 passed by learned Additional Sessions Judge -I-cum-Special Judge, Lakhisarai is set aside.

The petitioner, above named, is directed to be released from the Remand Home on his 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, Lakhisarai in connection with Kajra P.S. Case No. 42/18 (G.R. No.1092/18) 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)

Sanjay/-

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