

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.471 of 2019**

Arising Out of PS. Case No.-1 Year-2018 Thana- MAHILA P.S. District- Siwan

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JEEMEE KUMAR SINGH @ ANKIT KUMAR SINGH, Son of Krishna Singh, Resident of Village - Bangara, P.S.- Maharajganj, District - Siwan (Under the Guardianship of Father Krishna Singh, S/o Late Bichari Singh).

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Respondent

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar
For the Respondent/s : Ms.Renu Kumari

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 20-06-2019 This revision application has been filed against the order dated 1.2.2019 passed by 1st Additional District and Sessions Judge-cum-Special Judge, Siwan in Children Trial No. 7 of 2019.

As per prosecution case, while the informant was going to her house from market two persons came on a motorcycle, took her to the jungle and committed rape upon her. It further appears that earlier petitioner has filed Cr.Revision No. 861 of 2018 for bail against the order rejecting the bail, which was disposed of vide order dated 10.10.2018 with certain observation.

Submission of learned counsel for the petitioner is that after the disposal of Cr.Rev.No. 861 of 2018 the physical



and mental condition of the accused was examined and thereafter he was found to understand the consequences of the offence and as such the case has come to the Children Court and though there is allegation of commission of rape against the petitioner and other accused person in this case neither the girl has been examined nor her statement under Section 164 Cr.P.C. has been recorded and moreover the trial is going on in which the victim has been examined and her evidence has been annexed as Annexure-5 to the supplementary affidavit, which clearly disclosed that she has not named this petitioner in her evidence, rather named two persons and moreover the petitioner is in custody for about one and a half years.

Heard learned APP also.

Having heard both sides and considering the facts as stated above and also considering the fact that petitioner is in custody for about one and a half years, this revision application is allowed and the order dated 1.2.2019 is set aside.

The petitioner is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge-I-cum-Special Judge, Siwan, in connection with Children Trial Case



No. 7 of 2019, arising out of Siwan Mahila P.S.Case No. 01 of 2018, G.R.No. 88 of 2018, subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned and further condition is that petitioner has to co-operate in disposal of the trial and appear before the court as and when required, otherwise his bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

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