

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.28 of 2019

Arising Out of PS. Case No.-219 Year-2018 Thana- MANJHAGARH District- Gopalganj

Raj Kumar Giri, son of Ramjeet Giri, resident of Village- Ahirawalia, P.S. Manjhagarh, District- Gopalganj, under his natural guardianship of father namely Ramjeet Giri, S/o Chanr Giri, resident of village- Ahirawalia, P.S. Manjhagarh, District- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ramadhar Shekhar, Adv.

For the Respondent/s : Mr.Sri Pranav Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 05-03-2019 Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the order dated 07.09.2018 passed by learned 1st Additional Sessions Judge, Gopalganj in Criminal Appeal No. 43 of 2018 by which appeal of the petitioner for grant of bail against the order dated 04.08.2018 passed by learned Principal Magistrate, J.J.B. Board, Gopalganj, in connection with Manjhagarh P.S. Case No. 219 of 2018, J.E. Case No. 107 of 2018 has been dismissed.

Allegation against the petitioner is recovery of without number plate motorcycle from his house.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has



been further submitted that the alleged motorcycle has been recovered from the open house space of the petitioner which does not belong to him. Similarly placed co-accused has been granted bail by this court vide order dated 19.02.2019 passed in Cr. Revision No. 36 of 2019. Petitioner has no criminal antecedent and is in custody since 22.07.2018.

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 07.09.2018 passed by learned 1st Additional Sessions Judge, Gopalganj, in Criminal Appeal No. 43 of 2018 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, Gopalganj, in connection with J.E. Case no. 107 of 2018



arising out of Manjhagarh P.S. Case No. 219 of 2018, subject to 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 officer-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)

Rajiv/-

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