

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.585 of 2019

Arising Out of PS. Case No.-132 Year-2018 Thana- LADANIA District- Madhubani

Raman Kumar @ Raman Kumar Mahara @ Sachin Kumar Mahara @ Sachin aged about 15 years (male), Son of Arun Kumar Mahara @ Arun Mahara Resident of Village - Harhi, P.S.- Ladaniya, District- Madhubani.

Under Guardianship of his father namely Arun Kumar Mahara @ Arun Mahara, son of Ram Prasad Mahara, Resident of Village - Harhi, P.S.- Ladaniya, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Respondent/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 24-07-2019 As prayed, learned counsel for the petitioner is permitted to remove the defect(s) as pointed out by the Stamp Reporter in course of the day.

Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the order dated 09.04.2019 passed by 1st Addl. Sessions Judge, Madhubani in Cr. Appeal No.06 of 2019, by which, the appeal of the petitioner for grant of bail against the order dated 05.01.2019 of Juvenile Justice Board, Madhubani in G.R. Case No.55 of 2018, Enquiry No.1196 of 2018 arising out of Ladaniya P.S. Case No. 132 of 2018 has been dismissed.



Informant has alleged that on 20.06.2018 at about 6 p.m., petitioner has forcibly taken away the daughter of informant, namely, Priti Kumari aged about 9 years at the Devnath Mahra Dalan and committed rape with her.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has further been submitted that petitioner has no concern with the alleged occurrence and false case has been cooped up to implicate him.

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 order dated 09.04.2019 passed by 1st Addl. Sessions Judge, Madhubani in Cr. Appeal No.06 of 2019 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, Madhubani in connection with G.R. Case No.55/18, Enquiry No.1196/18 arising out of Ladaniya P.S. Case No. 132 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)

Sanjay/-

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