

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33154 of 2019

In
CRIMINAL APPEAL (SJ) No.916 of 2019

Arising Out of PS. Case No.-117 Year-2018 Thana- PARASBIGHA District- Jehanabad

MINTU KUMAR Son of Manoj Singh Under his Natural guardian Seema Devi @ Sima Devi, Wife of Manoj Singh, both Resident of Village- Ghosi, P.S.- Parasbigha, District- Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 26-06-2019 Heard learned counsel for the petitioner as well as learned APP.

Petitioner who has been identified as child in conflict with law by the learned lower court approached this Court for grant of bail on account of refusal by the learned lower court and the same was allowed under Cr. Appeal (SJ) No.916/2019, vide order dated 08.05.2019 with a condition that one of the bailor should be his father, who will undertake to keep the appellant immuned from all kinds of obnoxious activities.

By way of instant petition, it has been prayed at the end of the petitioner that father is also accused relating to the same case bearing Parasbigha P.S. Case No.117/2018 and, is under custody. So, the condition needs to be modified as, being co-accused, the father would not be in a position to give such



kind of undertaking as well as, being under custody without knowing how much time will take in getting bailed out whereupon, the order impugned will remain in abeyance without any cogent reason. So, submitted that instead of father, the material uncle (Mama) is there to stand by and is ready to give an undertaking whatever been reposed over the father. He further undertakes that he will keep proper vigil over the petitioner.

In the aforesaid facts and circumstances of the case, the prayer of the petitioner is allowed by way of modifying the condition in the order dated 08.05.2019 relating to Cr. Appeal (SJ) No.916/2019 as “with a condition that one of the bailor should be his maternal uncle, who will undertake to keep the appellant immune from all kinds of obnoxious activities” and is further directed that the order dated 08.05.2019 passed in Cr. Appeal (SJ) No.916/2019 be read, accordingly.

Petition is allowed.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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