

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.586 of 2018

Arising Out of PS. Case No.-508 Year-2017 Thana- MADHAURAH District- Saran

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Pintu Rai @ Pintu Kumar, son of Shri Bachcha Rai, resident of village, Sihoria, Police Station, Marhaura, District, Saran, under guardianship of the mother of the petitioner, namely, Kalavati Devi, W/o Shri Bachcha Rai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Respondent/s : Mr.Sri Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

5 05-02-2019

Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the order dated 09.04.2018, passed by learned 1st Additional Sessions Judge, Sarna at Chapra by which, the appeal of the petitioner for grant of bail against the order dated 22.03.2018 of Juvenile Justice Board, Chapra in J.J. B Case No.1303/18 arising out of Marhowrah P.S. Case No.508/17 registered under Sections 302, 120(B)/34 of the I.P.C. and Section 27 of the Arms Act, has been dismissed.

Informant has alleged that on 24.11.2017 while his husband was returning on his motorcycle, the appellant along with other co-accused persons surrounded him from all sides and the appellant and co-accused persons, Vijay Kumar and



Mukesh Kumar opened fired on the deceased due to which he died on the spot.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case due to dirty village politics. There is is general and omnibus allegation against all the accused persons. 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.

Considering the above, this revision application is allowed. The order dated 09.04.2018, passed by learned 1st Additional Sessions Judge, Sarna at Chapra 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, Chapra in J.J. B Case No.1303/18 arising out of Marhowrah P.S. Case No.508/17 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.

(S. Kumar, J)

Sanjay/-

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