

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.610 of 2018

Arising Out of PS. Case No.-143 Year-2017 Thana- DAGARUA District- Purnia

Deepak Kumar under Guardianship of Gujai Mandal, Father of the petitioner,
Resident of Village- Kohila, P.S. Dagarua, District- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ajit Ranjan Kumar

For the Respondent/s : Mr.Sri Chaubey Jawahar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 25-01-2019 Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the order dated 16.03.2018 passed by learned 1st Additional Sessions Judge-cum-Special Judge (Kishor), Purnea in Special Case (Kishor) No. 02 of 2017 arising out of Dagarua P.S. Case No. 143 of 2017.

Informant is the father of victim, who in his written complaint has stated that petitioner established physical relation with his daughter aged about 24 years, who is deaf, dumb and handicapped with connivance with co-accused Ugani and came to know about it when she became pregnant, when he asked the petitioner then he started abusing him.

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



suspicion. It has been further submitted that informant wants to marry his daughter with the petitioner, hence lodged this false case. There is no eye witness of the occurrence. Petitioner has no criminal antecedent and he is in custody since 12.10.2017.

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 been further submitted on behalf of the 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. There is no reasons to believe that the release is likely to bring petitioner in association with any known criminal.

Considering the above, this revision application is allowed. The order dated 16.03.2018 passed by learned 1st Additional Sessions Judge-cum-Special Judge (Kishor), Purnea 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 Chief Judicial Magistrate, Purnea, in connection with Dagarua P.S. Case No. 143 of 2017, 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)

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