

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1045 of 2018

Arising Out of PS. Case No.-169 Year-2017 Thana- MAHILA P.S District- Supaul

Md. Islam Son of Md. Suleman @ Suleman Safi, resident of Village- Sripur,
Ward No. 15, P.S.- Kishanpur, District- Supaul under the Guardianship of his
father namely Md. Suleman @ Suleman Safi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 19-02-2019 Heard learned counsel for the parties.

The present revision application has been preferred by
the petitioner against the order dated 06.07.2018 passed by
learned Addl. Sessions Judge, 1st, Supaul in Cr. Appeal
No.10/2018, by which, the appeal of the petitioner for grant of
bail against the order dated 13.03.2018 of Juvenile Justice
Board, Supaul in Er. No.15/2018, POCSO Case No.28/2017,
arising out of Supaul Sadar Mahila P.S. Case No. 169 / 2017
has been dismissed.

Allegation against the petitioner is to have committed
rape upon the informant.

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



Petitioner has got no criminal antecedent and is in custody since 21.10.2017.

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 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 06.07.2018 passed by learned Addl. Sessions Judge, 1st, Supaul 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, Supaul in connection with ER. No.15/2018, POCSO Case No.28/2017, arising out of Supaul Sadar Mahila P.S. Case No. 169 / 2017 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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