

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1130 of 2018

Arising Out of PS. Case No.-15 Year-2018 Thana- BARAUNI District- Begusarai

Chandan Kumar Yadav Police Yadav Resident of Village-Pipra Dewas Babasthan, P.S.-Barauni District-Begusarai, (Lives under the Guardianship of his father) Namely Police Yadav S/O-Amir Yadav R/O-Village-Pipra Dewas Babasthan, P.S.-Barauni, District-Begusarai

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Sharma

For the Respondent/s : Mr.Sri Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

5 21-01-2019 Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the order dated **07.08.2018**, passed by **learned Additional District & Sessions Judge-1st, Begusarai in Cr. Appeal No. 55 of 2018**, by which, the appeal of the petitioner for grant of bail against the order dated **12.06.2018 of Juvenile Justice Board, Begusarai in J.J. Board Case No.27 of 2018 arising out of Barauni P.S. Case No. 15 of 2018**, has been dismissed.

The informant in his written complaint has alleged that he received phone call on his mobile no. 9570620365, 7631405310 by mobile no. 8340592748 that his brother is unconscious, and if you want to save his life, come in Barauni



Block. Thereafter the Informant and his brother Md. Jaseem reached to the Barauni Block, they found their brother Md. Sahadat (deceased) in an unconscious condition and also found that the deceased was excessively beaten. The Informant further stated that in the way to Hospital his brother died.

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 the petitioner was never involved in any such activity, as alleged by the informant. The petitioner is not named in the FIR and his name has transpired in this case only on the basis that the Information to the Informant was given by his mobile number. Except this there is no any specific allegation of overt act against the petitioner. Petitioner has got 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 **07.08.2018, passed by learned**



Additional District & Sessions Judge-1st, Begusarai in Cr. Appeal No. 55 of 2018, is set aside.

The petitioner, named above, is directed to be released from the Remand Home on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of learned **Principal Member, Juvenile Justice Board, Begusarai**, in connection with **J.J. Board Case No.27 of 2018 arising out of Barauni P.S. Case No. 15 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)

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