

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1167 of 2018

Arising Out of PS. Case No.-352 Year-2017 Thana- BHAGWAN BAZAR District- Saran

Raja Singh @ Raja Surath Son of Balwant Singh, Resident of Village- Lallu Mor Thana Road, Police Station- Bhagwan Bazar, District- Saran at Chapra Under guardianship of Balwant Singh, father of the petitioner.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vipin Kumar Singh

For the Respondent/s : Mr.Sri Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

9 13-03-2019 Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the order dated **29.08.2018** passed by learned **1st Additonal Sessions Judge-cum-Special Judge, Children Court, Saran at Chapra in Child Court Case No. 4 of 2017** arising out of **Bhagwan Bazar P.S. Case No. 352 of 2017**, by which, the appeal of the petitioner for grant of bail has been dismissed.

Informant who is the brother of the deceased has alleged that co-accused Ravi Shankar @ Golu, took his brother on motorcycle and stopped his motorcycle near Maharani Asthan, where petitioner and other FIR named accused also reached there on motorcycle by following them. It has been



further alleged that petitioner fired upon his brother as result of which he fell down and declared dead by the doctor. The reason for killing is said to be that deceased had developed intimacy with sister of petitioner which was disliked by him and even after giving warning he did not break said relation.

It has been submitted on behalf of the petitioner that he is innocent and committed no offence. He has been falsely implicated in this case. Nothing has been recovered from his possession. Petitioner is a student. Petitioner was juvenile at the date of occurrence. He is in observation home/care home since 10.10.2017 after being remanded in this case. Petitioner has bright academic record and 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 or is likely to bring him into association with any known criminal.

Considering the above, this revision application is allowed. The order dated **29.08.2018** passed by learned **1st Additonal Sessions Judge-cum-Special Judge, Children**



Court, Saran at Chapra in Child Court Case No. 4 of 2017 arising out of Bhagwan Bazar P.S. Case No. 352 of 2017, 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 **1st, Additional Sessions Judge, Saran at Chapra**, in connection with **Bhagwan Bazar P.S. Case No. 352 of 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)

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