

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1281 of 2018

Arising Out of PS. Case No.-135 Year-2018 Thana- CHAPRA MUFFASIL District- Saran

Mritunjay Singh S/o Ashok Singh, resident of Village- Salempur, P.S.- Denari,
District- Saran under the guardianship of father, Ashok Singh son of late
Arjun Singh, Residence of village Salempur, P.S.- Denuri, District- Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar
For the Respondent/s : Mr.Sri Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 13-03-2019 Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the order dated **25.09.2018** passed by learned **1st Additional Sessions Judge, Saran at Chapra** in **Cr. (Juvenile) Appeal No. 50 of 2018**, by which, the appeal of the petitioner for grant of bail against the order dated **21.07.2018** of **Principal Magistrate, Juvenile Justice Board, Saran at Chapra in J.J. Board Case No.1504 of 2018** arising out of **Mufassil P.S. Case No. 135 of 2018** has been dismissed.

Informant who is a police officer has alleged in his written complaint that on receipt of secret information that 7-8 miscreants had assembled and planning to commit dacoity, he



along with other police personnel raided said place and on seeing police party petitioner along with other miscreants started fleeing away but out of them three were apprehended, who disclosed the name of others and thereafter they recovered one stolen motorcycle from the possession of co-accused Rakesh Rai.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Nothing has been recovered from his possession. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused and except confession there is nothing against petitioner. He is in custody since 05.05.2018.

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 **25.09.2018** passed by learned **1st Additional Sessions Judge, Saran at Chapra in Cr.**



(Juvenile) Appeal No. 50 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 **Juvenile Justice Board, Chapra, Saran**, in connection with **J.J. Board Case No.1504 of 2018 arising out of Mufassil P.S. Case No. 135 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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