

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1328 of 2018

Arising Out of PS. Case No.-90 Year-2018 Thana- BISFI (PATAUNA) District- Madhubani

Rajan Kumar Yadav Son of Kameshwar Yadav Resident of Village-
Dhadhiya, Police Station-Kamtaul, Distt.-Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Respondent/s : Mr. Ri Ram Sumiran Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 28-01-2019 Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the order dated 28.09.2018, Passed by learned 1st Additional Sessions Judge, Madhubani in Cr. Appeal No.65 of 2018 by which, the appeal of the petitioner for grant of bail against the order dated 19.03.2018 of Juvenile Justice Board, Madhubani in CRI Case No. 287 of 2018, has been dismissed.

The prosecution case is that when the informant was going to his sister's house on motorcycle, in the meantime the petitioner along with other co-accused persons snatched the motorcycle and assaulted the informant with fist and slaps and also took away bag containing Rs.4,000/-, mobile and ATM card and thereafter fled away.



It has been submitted by the learned counsel for the petitioner that nothing has been recovered from the possession of the appellant and he has been falsely implicated due to previous enmity. It has further been submitted that the petitioner has no any criminal antecedent and he is in custody since 03.05.2018.

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 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 28.09.2018, Passed by learned 1st Additional Sessions Judge, Madhubani in Cr. Appeal No.65 of 2018 as well as order dated 19.03.2018 of Juvenile Justice Board, Madhubani in CRI Case No. 287 of 2018, are 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 P.O., Juvenile Justice Board, Madhubani in connection with Cr. Appeal No. 65 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 the concerned P.O.

This revision application stands allowed.

(S. Kumar, J)

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