

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1380 of 2018

Arising Out of PS. Case No.-494 Year-2018 Thana- CHAPRA TOWN District- Saran

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Dhiraj Kumar @ Dhiraj Kumar Singh Son of Anil Singh @ Anil Kumar,
Resident of Mohalla - Aryanagar Imamganj, P.S. Chapra Town, Distt.-Saran
under natural guardianship of Anil Singh @ Anil Kumar, s/o Dwarika Singh,
resident of 160, Arya Nagar, Imamganj, P.S. & Town, Chapra, Distt. Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Utsav Kumar

For the Respondent/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 23-01-2019 Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the order dated 29.10.2018, passed by learned 1st Addl. Sessions Judge, Saran at Chapra in Cr. (Juvenile) Appeal No.66/18, by which, the appeal of the petitioner for grant of bail against the order dated 14.09.2018 of Juvenile Justice Board, Chapra in connection with Chapra Town P.S. Case No. 494/18 corresponding to J.J.B. Case No.1585/18 has been dismissed.

The informant has alleged that on receiving secret information regarding selling of theft motorcycle by a boy, he went on the spot and saw that a boy seeing the police party started fleeing away with his motorcycle and on chase he was



apprehended with a motorcycle. On interrogation, he disclosed his name as Dhiraj Kumar (petitioner). On demand of papers of the motorcycle he could not produce any paper and, as such, the motorcycle was seized.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. Petitioner has no criminal antecedent and he is in custody since 25.08.2018. It has further been submitted that petitioner is a student and if he is detained in custody, it will create damage to his career.

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 29.10.2018, passed by learned 1st Addl. Sessions Judge, Saran at Chapra 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, Chapra in connection with Chapra Town P.S. Case No. 494/18 corresponding to J.J.B. Case No.1585/18 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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