

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1461 of 2018

Arising Out of PS. Case No.-112 Year-2018 Thana- DUMRA District- Sitamarhi

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Anish Kumar @ Anish Singh @ Aveesh Kumar Son of Mukesh Kumar Singh
Resident of Dumri Kala Police Station Majorganj, Distt.-Sitamarhi through his
natural guardian Namely Mukesh Kumar Singh son of Binda Prasad Singh

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh
For the Respondent/s : Mr.Sri Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 03-04-2019 Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the order dated 05.10.2018 passed by learned 1st Additional Sessions Judge/Special Judge (Children Court), Sitamarhi, in Cr. Appeal No. 47 of 2018 /26/2018 and also order dated 12.07.2018 passed by learned Principal Magistrate, Juvenile Justice Board, Sitamarhi Passed in Dumra P.S. Case No. 112/18 (G.R. No. 1139/18) corresponding to JJB No. 1305/2018.

Informant has alleged that on 18.03.2018 at 8.00 PM while he was returning his home from Muzaffarpur on his motorcycle, in the meantime, three unknown miscreants on one motorcycle surrounded him and on the strength of pistol and



knife looted motorcycle, cash of Rs. 23,000/- and mobile with sim and fled away.

It has been submitted on behalf of the petitioner that petitioner is not named in the FIR. He has been falsely implicated in this case only on suspicion. Nothing has been recovered from his possession. Till date no TIP has been done. Petitioner is in custody since 21.05.2018.

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 or is likely to bring him into association with any known criminal .

Considering the above, this revision application is allowed. The order dated 05.10.2018 passed by learned 1st Additional Sessions Judge/Special Judge (Children Court), Sitamarhi, in Cr. Appeal No. 47 of 2018 /26/2018 and also order dated 12.07.2018 passed by learned Principal Magistrate, Juvenile Justice Board, Sitamarhi Passed in Dumra P.S. Case No. 112/18 (G.R. No. 1139/18) corresponding to JJB No. 1305/2018 are 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 Principal Magistrate, Juvenile Justice Board, Sitamarhi, in connection with Dumra P.S. Case No. 112 of 2018 (G.R. No. 1139/18), subject to 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 Officer-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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