

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.295 of 2018

Arising Out of PS. Case No.-979 Year-2016 Thana- SASARAM NAGAR District- Rohtas

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KRISHNA KUMAR @ SONU KUMAR @ KRISHNA S/o Late Bhagwan Singh, R/o Village- Mohalla- Kabirganj, P.S.- Town Sasaram, District- Rohtas under the guardianship of Chandra Muna Kumer D/o late Bhagwan Singh, resident of Mohalla- Kabirganj, Sasaram, Ward No.15, PO & PS- Sasaram Distt- Rohtas who is mother of the petitioner

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vijay Shankar Upadhyay

For the Respondent/s : Mr. Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

7 29-01-2019 Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the order dated 09.02.2018, passed by learned 1st Additional Sessions and District Judge, Rohtas at Sasaram in Cr. Appeal No.70 of 2017, by which, the appeal of the petitioner for grant of bail against the order dated 13.11.2017 of Juvenile Justice Board, Rohtas in J.J. Board Case No.243/2017 arising out of Sasaram Nagar P.S. Case No. 979/2016 has been dismissed.

Informant has alleged that her daughter had gone to market on 21.08.2016 at 9 a.m. but she did not return thereafter and after much search, she could not be traced. Further allegation is that the daughter of the informant is aged about 15



years and she has been kidnapped by someone with intention to marry with her.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has further been submitted that it appears that there was love affair between the victim girl and the petitioner and the victim girl herself left her house but when she returned, she came under the pressure of parents and false and concocted story has been planted.

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. There is no likelihood of his coming in association with any known criminal.

Considering the above, this revision application is allowed. The order dated 09.02.2018, passed by learned 1st Additional Sessions and District Judge, Rohtas at Sasaram 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, Rohtas in connection with J.J. Board Case No.243/2017 arising out of Sasaram Nagar P.S. Case No. 979/2016 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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