

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.923 of 2019**

Arising Out of PS. Case No.-58 Year-2018 Thana- MAHILA P.S. District- Kaimur (Bhabua)

BALIRAM KUMAR @ BALIRAM KUSHWAHA Son of Sri Jay Prakash
Kuswaha @ Jay Prakash Singh, under guardianship of his natural guardian
father, Resident of Village-Machiyawan, Police Station-Bhabhua, District-
Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh
For the Respondent/s : Mr.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER**

4 10-12-2019 Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the judgment dated **13.06.2019**, passed by learned **Incharge Additional Sessions Judge-cum-Special Judge-1st, Bhabhua**, in **Cr. (Juvenile) Appeal No. 28 of 2019**, by which, the appeal of the petitioner for grant of bail against the order dated **08.03.2019 of Juvenile Justice Board, Bhabhua in J.J. Board Case No.637 of 2018 arising out of Mahila(Bhabhua) P.S. Case No. 58 of 2018**, has been dismissed.

Allegation against the petitioner is of committing rape



upon the minor daughter of the informant along with FIR named accused.

It has been submitted by learned counsel for the petitioner that petitioner has got no criminal antecedent and 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 likely to bring him into association with any known criminal.

Considering the above, this revision application is allowed. The judgment dated **13.06.2019**, passed by learned **Incharge Additional Sessions Judge-cum-Special Judge-1st, Bhabhua**, in **Cr. (Juvenile) Appeal No. 28 of 2019**, 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 **Principal Member, Juvenile Justice Board, Bhabhua**, in connection with **J.J. Board Case No.637 of 2018 arising out of Mahila(Bhabhua) P.S. Case No. 58 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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