

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1462 of 2018

Arising Out of PS. Case No.-315 Year-2018 Thana- BIHARSHARIF District- Nalanda

Rajnikant Kumar Singh @ Rajnikant Singh @ Rajnikant Kumar son of Late
Shiv Kumar Singh, Resident of Village- Daroga Bigaha, P.S.- Deepnagar,
District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Niranjan Kumar, Adv.
Smita Prasad, Adv.

For the Respondent/s : Mr. Satyendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 06-03-2019 Heard learned counsel for the parties.

A supplementary affidavit has been filed on behalf of
the petitioner and same has been taken on record.

The present revision application has been preferred by
the petitioner against the order dated **28.11.2018** passed by
learned 1st Additional Sessions Judge-cum-Special Judge,
Nalanda at Biharsharif in Juvenile Appeal No. 17 of 2018, by
which, the appeal of the petitioner for grant of bail against the
order dated **18.09.2018** of **Principal Magistrate, Juvenile**
Justice Board, Nalanda at Biharsharif, in J.J. Board Case
No. 353 of 2018 arising out of Bihar P.S. Case No. 315 of
2018 has been dismissed.



Informant who is the brother of the deceased has alleged in his fardbeyan that on 06.07.2018 at about 8:30 A.M. when he was returning from railway station along with his deceased brother Diwakar Kumar on two motorcycles, one unknown motorcycle borne miscreant came and fired upon his brother and when he tried to save him two motorcycle borne miscreants came and fired upon him and thereafter fled away. Petitioner was apprehended by local people.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to previous enmity. He is a student of matriculation and nothing has been recovered from his possession. Petitioner was apprehended on suspicion and misunderstanding. Petitioner has got no criminal antecedent and is in custody since 06.07.2018.

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

Considering the above, this revision application is



allowed. The order dated **28.11.2018** passed by learned **1st Additional Sessions Judge-cum-Special Judge, Nalanda at Bihar Sharif in Juvenile Appeal No. 17 of 2018** 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 Magistrate, Juvenile Justice Board, Nalanda at Bihar Sharif**, in connection with **J.J. Board Case No. 353 of 2018 arising out of Bihar P.S. Case No. 315 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)

manoj/-

U		T	
---	--	---	--

