

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1340 of 2018

Arising Out of PS. Case No.-78 Year-2018 Thana- RAGHUNATHPUR District- Siwan

RAJAN LAL SRIVASTAVA MINOR UNDER THE GUARDIANSHIP OF
HIS FATHER BIBHAV LAL SRIVASTAVA resident of Village- Amawa Kala,
P.S.- Rampur Karkhana, District- Deoria U.P..

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahn
For the Respondent/s : Mr.Sri Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 21-01-2019 Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the order dated 26.09.2018 passed by learned 1st Additional District & Sessions Judge cum Spl. Judge, Siwan, in connection with Cr. Appeal No. 55 of 2018 (Arising out of Raghunathpur P.S. Case No. 78 of 2018, G.R. No. 2626 of 2018) by which appeal of the petitioner for grant of bail against the order dated 02.08.2018 in J. Tr. No. 90 of 2018 passed by learned Juvenile Justice Board, Siwan has been dismissed.

Allegation against petitioner is of recovery of one country made pistol with one live cartridge from his possession.

It has been submitted on behalf of the petitioner that



he is innocent and has been falsely implicated in this case. Petitioner has no criminal antecedent and he is in custody since 16.05.2018.

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.

Considering the above, this revision application is allowed. The order dated 26.09.2018 passed by learned 1st Additional District & Sessions Judge cum-Spl. Judge, Siwan is set aside.

The petitioner, above named, is directed to be released from the Reman 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, Siwan, in connection with Raghunathpur P.S. Case No. 78 of 2018, 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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