

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1239 of 2018

Arising Out of PS. Case No.-421 Year-2017 Thana- SIWAN CITY District- Siwan

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Deepu Singh @ Ankit Singh @ Deepu Kumar @ Deepu Kumar Through his
Father And Legal Guardian Dhiraj Singh, Son of Bindeshwari Prasad Singh,
Resident of Village- Matihani Nain, P.S.- Miraganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. P.K. Shahi, Sr. Advocate

For the Respondent/s : Mr. Surendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 08-01-2019 Heard learned counsel for the parties.

The petitioner has been declared to be a juvenile. The present revision application has been preferred by the petitioner against the order dated 24.07.2018 passed by learned District and Sessions Judge-1st-cum-Special Court, District, Siwan in Cr. Appeal Case No.72 of 2017 by which, the appeal of the petitioner for grant of bail against the order dated 13.10.2017 of learned Juvenile Justice Board, Siwan in Siwan Nagar P.S. Case No. 421/17 corresponding to J.Tr. No.152/17 has been dismissed.

Informant who is father of the deceased has alleged in his written complaint that on 09.08.2017, his son, Rahul Kumar told her aunt that he is going to the shop of his father but he



could not reach to the shop. After much search, his son could not be traced. Later on, his dead body was recovered.

It has been submitted on behalf of the petitioner that he is not named in the F.I.R. and his name has surfaced in this case on the confessional statement made by the co-accused and except the said confessional statement, there is no any other incriminating material against the petitioner. Similarly placed co-accused persons have already been granted bail as contained in Annexure 5 series.

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/she will be exposed to mental, physical and psychological danger.

Considering the above, this revision application is allowed. The order dated 24.07.2018 passed by learned Additional District and Sessions Judge-1st-cum-Special Judge, District, Siwan 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 Principal Magistrate, Juvenile Justice Board, Siwan in connection with Siwan Sadar Nagar P.S. Case No.421 of 2017 corresponding to J.Tr. No.152/17 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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