

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1425 of 2018

Arising Out of PS. Case No.-66 Year-2018 Thana- BIHARSHARIF District- Nalanda

Sonu Kumar @ Sonu Sao, minor, Son of Dinesh Saw, under guardianship of his natural guardian Dinesh Saw (father) Son of Nandlal Saw Resident of Village- Manjaur, P.S.- Warisaliganj, District- Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1

For the Respondent/s : Mr. Sri Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 28-02-2019 Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the order dated **16.10.2018** passed by **learned 1st Additional Sessions Judge-cum-Special Judge, Nalanda at Bihar, in Juvenile Appeal No. 11 of 2018**, by which, the appeal of the petitioner for grant of bail against the order dated **12.08.2018/13.08.2018** of **Juvenile Justice Board, Nalanda at Bihar Sharif in J.J. Board Case No.336 of 2018 arising out of Bihar P.S. Case No. 66 of 2018** has been dismissed.

Informant alleged in his written complaint that some unknown persons fired upon his father as a result of which he sustained injury in his chest and fell down.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. He is not named in FIR. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused, Rahul Chaudhary, who already has been granted bail by co-ordinate Bench of this Court vide order dated 02.11.2018 passed in Cr. Misc. No. 61444 of 2018, and except said confession there is no incriminating material against the petitioner. Nothing has been recovered from his possession. Petitioner has got no criminal antecedent and is in custody since 04.07.2018.

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 **16.10.2018, passed by learned 1st Additional Sessions Judge-cum-Special Judge, Nalanda at Bihar, in Juvenile Appeal No. 11 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 **Juvenile Justice Board, Nalanda at Bihar Sharif** in connection with **J.J. Board Case No.336 of 2018 arising out of Bihar P.S. Case No. 66 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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