

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1141 of 2018

Arising Out of PS. Case No.-104 Year-2016 Thana- HASPURA District- Aurangabad

Sikendar Kumar @ Sikander @ Sikandra Kumar @ Sikendr Kumar S/o and under the guardianship of Sri Rama Nand Ram @ Ramanand Ram, R/o Vill.- Jakhaura Jakhaua, P.S.- Haspura, District- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Manish Kumar No 13, Adv
	:	Mr.Rohit Kumar, Adv
For the Respondent/s	:	Mr.Sri Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 02-05-2019

Heard learned counsel for the parties.

The petitioner was declared juvenile by the learned Juvenile Justice Board, Aurangabad on 15.01.2018 vide Annexure-3. Thereafter, prayer for bail to the petitioner was refused by the Board on 12.03.2018 vide order at Annexure-4, stating therein that there is serious allegation against the petitioner and other co-accused that they had assaulted the deceased which resulted in his death. Learned lower appellate court, on appeal against refusal of prayer for bail, did not interfere with the impugned order.

Submission is that other male accused person, bearing identical allegation, who were in custody since 27.06.2016, have already been allowed bail by this Court in Cr. Misc. No.3379 of



2018 vide Annexure-6 on 21.02.2018. Petitioner is also in custody since 27.06.2016.

Considering the parity, let the petitioner be released in favour of either of his parents on execution of surety bond of Rs.5,000/- (Five thousand) to the satisfaction of learned Children's Court in connection with G.R. Case No.338 of 2016, Tr.No.856 of 2017 corresponding to Haspura P.S.Case No.104 of 2016, with undertaking that they shall produce the petitioner as and when required during enquiry before the Juvenile Justice Board and shall maintain proper care and upkeep of the petitioner.

Accordingly, the impugned order is set aside and this criminal revision application is allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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