

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1545 of 2019

Arising Out of PS. Case No.-91 Year-2019 Thana- THAKURGANJ District- Kishanganj

Kishore Kaiser Alam @ Kaisar Alam S/o Md. Yusuf Alam, Father/Natural Guardian, R/o village- Ward No. 14, Jharbari, Gachhpara, P.S. and District- Kishanganj. Petitioner/s

Versus

The State of Bihar. Respondent/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha
For the Respondent/s : Mr. Binod Kumar No. 3

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

10 20-01-2021 Vide order dated 02.11.2020, this Court had directed the Civil Surgeon, Patna to constitute a Medical Board to examine the petitioner and submit a report with respect to the age of the petitioner.

In pursuance thereof, the Civil Surgeon, Patna has constituted a Medical Board comprising of Dr. Ajay Kumar, Dr. Sanjay Kumar, Dr. Subhash Chandra, Dr. Subodh Kumar and Dr. (Smt.) Amita Singh and they have given the report in which they have reflected the age of the petitioner on the date of examination as 18-19 years.

Let the report of Medical Board be kept on record.

The present matter relates to granting of bail in connection with Thakurganj P.S. Case No. 91 of 2019 registered for offence punishable under sections 489(A), 489(B) and 489 (C) of the Indian Penal Code. The present case has been filed as



criminal revision application against the order dated 20.11.2019 passed in Cr. Appeal No. 16 of 2019.

In the present case, the fact is that the police had received an information that fake note was being trans-shifted at Thakurganj and on receipt of the said information, the police and S.S.B. team reached near Thakurganj Bus Stand and found some persons came there on motor cycle. On call for stop, they tried to flee away but they have been apprehended and they disclosed their name as Abu Talib, Satabur Rahman and Kaisar Alam (petitioner) and on search from Abu Talib, Rs.94000/-in the domination of Rs.500 fake Indian currency and Rs.2,000/- in the denomination of Rs.1,000/- has been recovered and all the accused persons disclosed that one Pradeep who resides behind BSNL Office Thakurganj, gave the said money to deliver at Thakurganj, for that, they had been paid Rs.4,000/-.

The Juvenile Justice Board, after holding enquiry, found the petitioner aged about 16 years and 02 months.

A bail application was filed before the court below for grant of bail to the petitioner, but the same was rejected vide order dated 20.11.2019.

According to the Medical Report, on the date of alleged occurrence, the petitioner was below 18 years and he



was minor.

As the petitioner, on the date of alleged occurrence, was minor having no criminal history and he has remained in jail custody for one year and six months, in such view of the matter, let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge, Kishanganj/Successor Court in connection with Thakurganj P.S. Case No. 91 of 2019, subject to the condition that one of the bailors of the petitioner shall be his father and he will ensure that in future the petitioner will not indulge in such type of offence. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

This order has been passed in presence of Mr. Binod Kumar No. 3, learned counsel for the State.

(Shivaji Pandey, J)

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