

Deepak Kumar and ors. Vs. the State of Bihar

Deepak Kumar and ors. Vs. the State of Bihar

SooperKanoon Citation : sooperkanoon.com/974241

Court : Patna

Decided On : May-24-2012

Appellant : Deepak Kumar and ors.

Respondent : The State of Bihar

Judgement :

Patna High Court CR. REV. No.107 of 2012 (2) dt.24-01-2012 IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Revision No.107 of 2012
===== 1.Deepak Kumar, Son of Vijay Ram, Resident of Mohalla Loco Coloney, P.S.-Delha, District-Gaya 2. Rishi Kumar, Son of Sohrai Manjhi, 3. Raj Kumar @ Suraj Manjhi, Son of Bhanga Manjhi @ Shankar Manjhi, Both resident of Mohalla-Bairagi Bhuin Toli, P.S.-Delha, District-Gaya Petitioners Versus The State Of Bihar Opposite Party.

===== Appearance : For the Petitioners : Mr. For the Opposite Party. : Mr.
===== CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH ORAL ORDER (Per: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

24. 01-2012 Heard learned counsel for the petitioners and learned A.P.P. for the State. Learned counsel for the petitioners is permitted to correct the description of the person who has affirmed the affidavit by correctly stating her to be the mother of petitioner no.1 instead of petitioner no.2. This application is for grant of bail to

the petitioners under the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000. Earlier such prayer was rejected by the Juvenile Justice Board Gaya on 06.09.2011 and 23.09.2011 in Kotwali P.S. Case No. 76 of 2011 (G.R.No. 990 of 2011, Trial No.1312 of 2011). The appeals filed were also Patna High Court CR. REV. No.107 of 2012 (2) dt.24-01-2012 dismissed by order dated 19.11.2011 passed by the Additional Sessions Judge-IIIrd, Gaya in Criminal Appeal (Juvenile) No.67 of 2011/56 of 2011. The petitioners are accused in Kotwali P.S. Case No. 76 of 2011 for alleged offences under Sections 399 and 402 of the Indian Penal Code and 25(1-b)a, 26 of the Arms Act. Learned counsel for the petitioners submits that the petitioners have been made accused only on the basis of suspicion since they were arrested by the police among a group of sixteen persons on the ground that they were planning to execute a robbery. Learned counsel submits that the petitioners have been declared to be a juvenile. It is also submitted that the petitioners have been falsely implicated and no recovery has been made from them. The petitioners have been implicated in another case after their arrest in the present case on the ground of suspicion and they have been released on bail in the other case. The petitioners are in custody since 02.04.2011. Considering the facts and circumstances of the case, let the petitioners, namely, Deepak Kumar, Rishi Kumar and Raj Kumar @ Suraj Manjhi be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two Patna High Court CR. REV. No.107 of 2012 (2) dt.24-01-2012 sureties of the like amount each to the satisfaction of Juvenile Justice Board, Gaya in connection with Kotwali P.S. Case No.76 of 2011, (Trial No.1312 of 2011, G.R.No.990 of 2011). One of the bailors should be the father of the petitioners. The petitioners as well as their fathers shall also execute a bond of good behaviour before the court concerned. The petitioners shall present themselves before the Probation Officer, Gaya at least once a month and also as and when directed by him. The Probation Officer, Gaya shall maintain strict supervision over the petitioners. This application accordingly stands disposed off. Let the order be communicated to the court below through fax upon deposition of the requisite fee on behalf of the petitioners. (Ahsanuddin Amanullah, J.) B.Kr./-