

Bishal Kumar Vs. the State of Bihar

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Court : Patna

Decided On : May-24-2012

Appellant : Bishal Kumar

Respondent : The State of Bihar

Advocate for Pet/Ap. : Mr. Shiwesh Chandra Mishra

Judgement :

Patna High Court CR. REV. No.1310 of 2011 (3) dt.24-01-2012 IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Revision No.1310 of 2011
===== 1. Bishal Kumar S/O Basuki Tanti, Of Muzaffarganj, P.S. Haveli Kharagpur, Distt. - Munger Petitioner Versus 1. The State Of Bihar Opposite Party
=====

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

24. 01-2012 Heard Mr. Shiwesh Chandra Mishra, learned counsel for the petitioner and Mrs. Indu Bala Pandey, learned A.P.P. for the State. This application is for grant of bail to the petitioner under the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000. Earlier such prayer was rejected by the Principal Magistrate, Juvenile Justice Board, Bhagalpur in G.R. Case No.612 of 2011 by order dated 21.07.2011 and the appeal was also

dismissed by order dated 07.09.2011 passed by the 4th Additional Sessions Judge, Bhagalpur in Criminal Appeal No.63 of 2011. Patna High Court CR. REV. No.1310 of 2011 (3) dt.24-01-2012 The petitioner is an accused in Sultanganj P.S. Case No.45 of 2011 registered under Sections 121(A)/122/124(A)/34 of the Indian Penal Code and Sections 25(1-B)/25(1) (1-A)/25/35/34 of the Arms Act. Learned counsel for the petitioner submits that the petitioner has been declared to be a juvenile and as per the certificate age he was a little over 15 years of age on the date of occurrence. Learned counsel further submits that the petitioner has clean antecedent and the only allegation is recovery of fire arms from his possession. The petitioner is in custody since 11.03.2011. Considering the facts and circumstances of the case, let the petitioner, namely, Bishal Kumar be released on bail on furnishing bail bond of Rs.5,000/-(five thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate-cum-P.M., Juvenile Board, Bhagalpur in Sultanganj P.S. Case No.45 of 2011. One of the bailors should be father of the petitioner who shall also execute a bond with regard to good behaviour of the petitioner. The petitioner shall physically present himself before the Probation Officer, Bhagalpur at least once a month and also as and when directed by him. The Patna High Court CR. REV. No.1310 of 2011 (3) dt.24-01-2012 Probation Officer, Bhagalpur shall maintain strict supervision over the petitioner. This application stands disposed off. (Ahsanuddin Amanullah, J.) B.Kr./-

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