

Bench: Rongon Mukhopadhyay

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Revision No. 45 of 2017

Vikash Mandal @ Vikash Kumar Mandal Petitioner
Versus
The State of Jharkhand ... Opposite Party

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioner : Mr. Mahesh Tewari, Advocate
For the State : Mr. Pankaj Kumar, A.P.P.

Order No. 04

Dated 23rd February, 2017

Heard Mr. Mahesh Tewari, learned counsel for the petitioner and Mr. Pankaj Kumar, learned A.P.P. for the State.

This application is directed against the judgment dated 24.11.2016

passed by the learned Sessions Judge, Giridih in Criminal Misc. Appeal No. 34 of 2016 by which the order dated 24.10.2016 passed by learned Principal Magistrate, Juvenile Justice Board, Giridih in G.R. No. 3032 of 2015 arising out of Giridih (T) P.S. Case No. 327 of 2015, refusing to release the petitioner on bail, has been affirmed and the appeal was dismissed.

It has been submitted by learned counsel for the petitioner that only on the basis of confessional statement of co-accused Birendra Mandal, the petitioner has been implicated in this case and in fact the said co-accused Birendra Mandal has been granted bail by this Hon'ble Court vide order passed in B.A. No. 123 of 2016 and that the petitioner is in custody since 19.08.2016. Learned counsel further submits that so far as the antecedent is concerned, in the said cases also petitioner has been implicated on the basis of statement of co-accused persons.

Learned A.P.P. appearing for the State has opposed the prayer of the petitioner and has submitted that the petitioner has got criminal antecedent and he is not under the control of his parents.

It appears that the petitioner has been implicated on the basis of confessional statement of co-accused Birendra Mandal of being involved in cyber crime and he has been granted bail by this Hon'ble Court. The father of the petitioner had given an undertaking that he shall not allow the petitioner to come in association of antisocial elements.

Considering the aforesaid facts, the judgment dated 24.11.2016 passed by the learned Sessions Judge, Giridih in Criminal Misc. Appeal No. 34 of 2016 as also the the order dated 24.10.2016 passed by learned Principal Magistrate, Juvenile Justice Board, Giridih in G.R. No. 3032 of 2015 arising out of Giridih (T) P.S. Case No. 327 of 2015, refusing to release the petitioner on bail, are set aside.

The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Juvenile Justice Board, Giridih in connection with G.R. No. 3032 of 2015 arising out of Giridih (T) P.S. Case No. 327 of 2015 with a condition that the father of the petitioner will keep the petitioner at a safe place and will not allow him to meet any bad element and further directed to produce the petitioner before Juvenile Justice Board, Giridih on each and every date fixed in the concerned case till the conclusion of the inquiry.

This application stands disposed of.

(Rongon Mukhopadhyay, J) MK