

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.420 of 2016

=====

1. Laxman Kumar @ Laxman Kumar Sah @ Laxman Sah Son of Mishrilal
Sah Resident of village - Sirahi, P.S. Righa, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Madhubala Verma

For the Respondent/s : Mr. Atul Chandra(App)

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 25-11-2016 The petitioner is a juvenile and is an accused in Riga P.S. Case No. 219 of 2015, registered for the offences punishable under Section 363/34 of the Indian Penal Code to which Sections 302 and 120B of the Indian Penal Code has been subsequently added. His application for grant of bail was rejected by the Juvenile Justice Board, Sitamarhi by an order, dated 04.03.2016, passed in J.J.B. Case No. 1400 of 2015. The petitioner's appeal against the said order preferred before the Court of learned Sessions Judge, Sitamarhi has also been dismissed by an order, dated 17.03.2016 passed in Criminal Appeal No. 20 of 2016.

2. This is how the present criminal revision application has been filed under Section 102 of the Juvenile Justice Act, 2015 against the aforesaid orders passed by the Juvenile Justice Board and the learned Sessions Judge,

Sitamarhi.

3. On perusal of the impugned orders, I find that the petitioner's application for bail has been rejected on the ground that there was possibility of the petitioner falling in association with the criminals, which may expose him to moral, physical, mental and sociological danger.

4. Learned counsel for the petitioner has submitted that before rejecting the petitioner's application for his release on the ground aforesaid, no report from any person or body was obtained either by the Juvenile Justice Board or by the learned Sessions Judge. He has submitted that no report from the Probation Officer under the Act was called for by the Courts below.

5. Considering the above, the impugned orders dated 04.03.2016, passed by the Juvenile Justice Board and the appellate order, dated 17.03.2016 passed by the learned Sessions Judge, Sitamarhi is hereby set aside. The matter is remanded back to the Juvenile Justice Board, Sitamarhi to reconsider the petitioner's prayer for his release on bail and for the said purpose; they may seek report from the concerned Probation Officer under the Act or any other person as may be considered appropriate and fit.

6. Considering the fact that the petitioner is in custody for more than one year, the Court expects that

necessary orders shall be passed by the Juvenile Justice Board within a period of one month from the date of communication of the present order.

7. This application stands allowed but with the observation as above.

(Chakradhari Sharan Singh, J)

ArunKumar/-

U			
---	--	--	--