

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.113 of 2017

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1. Krishna Chandra Prabhat @ Bijli, Son of- Domilal Mukhiya, Resident of Village- Madhura, Police Station- Kishanpur, District- Supaul, Minor Child through under the guardianship of Domilal Mukhiya @ Domi lal Mukhiya, Son of- Late Sokhilal Mukhiya, Resident of Village- Madhura, Police Station- Kishanpur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate

For the Respondent/s : Mr. Sri Binod Kumar 3, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 18-04-2017 The petitioner is a juvenile and is an accused in Supaul P.S. Case No. 539 of 2015 registered for the offences punishable under Sections 457 and 380 of the Indian Penal Code. His application for his release on bail has been rejected by the Juvenile Justice Board, Supaul by an order dated 28.03.2016, which has been affirmed by the learned Additional Sessions Judge-I , Supaul in Criminal Appeal No. 10 of 2016.

The petitioner is aggrieved by the aforesaid two orders.

Learned counsel for the petitioner has made two submissions. He has firstly submitted that the Board and the court below have not taken into account the considerations for release of



a juvenile on bail as contemplated under Section 12 of the Juvenile Justice (Care and Protection of Children) Act. He has, secondly, submitted that the petitioner is in an observation home since 09.12.2015 and his further continuance in the observation home will be counter productive and will adversely affect the welfare of the child. This Court while setting aside orders passed by the court and the Board in a different matter, has directed the release of the petitioner on bail.

Considering the facts and circumstances of the case and submissions so advanced on behalf of the petitioner, impugned order dated 28.03.2016, is set aside, let the petitioner, during the pendency of the criminal revision application, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-I , Supaul in connection with Supaul P.S. Case No. 539 of 2015, E.R. No. 157/2016 corresponding to G.R. No. 1993/2015.

This application is allowed.

(Chakradhari Sharan Singh, J)

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