

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.408 of 2017

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1. Nikesh Kumar @ Nikku Sono f Ram Sakal Rai, Resident of Village-
Lahogir, POlice -Ujiarpur, District-Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suraj Narain Yadav

For the Respondent/s : Mr. Sri Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 19-05-2017 On the date of occurrence, i.e., on 16.09.2005, the

petitioner has been declared to be a juvenile. He is an accused in

Khodabandpur P.S. Case No. 59 of 2005, registered for the

offence punishable under Sections 302/201 of the Indian Penal

Code.

His prayer for bail has been refused by the Juvenile
Justice Board, Begusarai vide order dated 16.01.2017, which has
subsequently been affirmed by order, dated 18.03.2017, passed by
the learned Sessions Judge, Begusarai in Criminal Appeal No. 12
of 2017.

Aggrieved by the aforesaid two orders, this application
has been filed under Section 53 of the Juvenile Justice (Care &
Protection of Children)Act, 2000.



Learned counsel for the petitioner has submitted that the petitioner has now become major. He has submitted that the Court below and the Board failed to consider the crucial aspect that the petitioner had become major and, therefore, he ought to have been enlarged on bail in view of special facts and circumstances of the case.

Considering the facts and circumstances of the case, the impugned order dated 18.03.2017, passed by the learned Sessions Judge, Begusarai in Criminal Appeal No. 12 of 2017 and order, dated 16.01.2017 passed by the Juvenile Justice Board, Begusarai, are, hereby, set aside.

This application is allowed.

Let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Juvenile Justice Board, Begusarai in J.J.B. Case No. 978 of n2016 arising out of Khodabandpur P.S. Case No. 59 of 2005.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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