

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Revision No.411 of 2017**

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1. Subodh Yadav, Son of Siddheshwar Yadav, Resident of Village- Main Tola, Dhibrapar, P.S.- Main District- Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Respondent/s : Mr. Sri Lalan Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**  
**SHARAN SINGH**  
**ORAL ORDER**

2      06-07-2017                      Heard learned Counsel for the petitioner and the learned Additional Public Prosecutor representing the State.

The petitioner has been declared to be a juvenile. He has been made accused in Main P.S. Case No. 13 of 2016, registered for the offences punishable under Sections 304B and 201/34 of the Indian Penal Code. He is aggrieved, in the present criminal revision application under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015, by an order, dated 01.03.2017, passed by the learned Sessions Judge, Gaya, in Criminal Appeal (Juvenile) No. 07 of 2017, whereby he has refused to interfere with the order, dated 19.01.2017, passed by the learned Principal Magistrate, Juvenile Justice Board, Gaya, refusing the petitioner's application for his release on bail.

The petitioner has been described as husband of the deceased in the First Information Report.



Learned counsel appearing on behalf of the petitioner has submitted that the Board and the Court below have mechanically observed that the petitioner's release on bail would defeat the ends of justice.

Considering the submission that the petitioner has been held to be a juvenile and he has been implicated in a case under Section 304B of the Indian Penal Code, in my view, it could not have been said that his release would defeat the ends of justice, without there being any basis.

Considering the above, this revision application is allowed. The order, dated 01.03.2017, passed by the learned Sessions Judge, Gaya, is set aside.

Let the petitioner be released on bail on furnishing an affidavit by his father to the effect that he will look after the interest of the petitioner and will not allow him to fall in bad company. In addition to the affidavit, the father of the petitioner will also be required to furnish personal bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Juvenile Justice Board, Gaya, in connection with Misc. Case No. 202/2016 arising out of Main P.S. Case No. 13 of 2016 (GR No. 1714 of 2016). On furnishing of such affidavit and sureties, the petitioner shall be released on bail.

**(Chakradhari Sharan Singh, J)**

ArunKumar/-

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