

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.809 of 2016

Arising Out of PS.Case No. -null Year- null Thana -null District- JAMUI

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Naresh Yadav, son of Onkar Yadav @ Omkar Yadav, resident of Matia, Police Station Laxmipur, District Jamui, under the guardianship of Omkar Yadav @ Onkar Yadav, son of late Thakuri Yadav, resident of Matia, Police Station Laxmipur, District Jamui

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Respondent/s : Mr. Binod Kumar No. III, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

JUDGMENT AND ORDER

ORAL

Date: 11.01.2017

Heard learned Counsel for the petitioner and learned Additional Public Prosecutor representing the State.

2. The petitioner is aggrieved by an order, dated 06.06.2016, passed by learned Additional Sessions Judge I, Jamui, in Criminal (Juvenile) Appeal No. 15 of 2016, whereby he has affirmed the order of the Juvenile Justice Board, Jamui, dated 25.04.2016, passed in G. R. No. 202 of 2016, arising out of Laxmipur Police Station Case No. 23 of 2016, refusing petitioner's plea for his release on bail.

3. The petitioner is a juvenile and is an accused in Laxmipur Police Station Case No. 23 of 2016, disclosing offence punishable under Sections 302, 364, 201, 120B, 379 and 411 of the Indian Penal Code.

4. Learned Counsel appearing on behalf of the



petitioner, drawing my attention to the impugned orders, has submitted that before recording the finding that if released on bail, there was possibility of exposure of the petitioner to mental, psychological and physical danger, no report from the Probationer Officer was sought. He submits that even otherwise, there was no material either before the Juvenile Justice Board or before the Appellate Court to reach this conclusion.

5. On perusal of the impugned orders, I find substance in the submission made on behalf of the petitioner.

6. Accordingly, the impugned orders, dated 25.04.2016 and 06.06.2016, are set aside.

7. The matter is remitted to the Juvenile Justice Board Jamui, for consideration of the petitioner's plea for his release on bail afresh after seeking necessary report from the Probationer Officer under the Juvenile Justice (Care and Protection of Children) Act, 2000.

8. This application is allowed with the observation, as above.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	12.01.2017
Transmission Date	12.01.2017

