

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1188 of 2016

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1. Dheeraj Kumar Gupta @ Dheeraj Kumar Son of Dinesh Chandra Prasad
Resident of Village- Parei, P.S- Shikarganj, District- East Champaran Under
Guardia-Ship of his father Namely Dinesh Chandra Prasad Son of Daroga
Prasad, Resident of Village- Parei, P.S.- Shikarganj, District- East- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Respondent/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 25-01-2017 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor representing the

State.

This criminal revision application has been filed
against an order, dated 09.08.2016, passed in Criminal
Appeal No. 86 of 2016, whereby learned Sessions Judge,
East Champaran, at Motihari, has rejected the appeal
preferred against an order, dated 16.06.2016, passed by
the Juvenile Justice Board, East Champaran, at Motihari, in
Trial No. 944 of 2016, arising out of Chhatauni Police
Station Case No. 10 of 2016.

The petitioner is a juvenile and he is an accused



in a case disclosing offence punishable under Section 379/34 of the Indian Penal Code.

From the impugned order, I find that taking into account the long criminal antecedent of the petitioner, his bail application has been rejected by the Juvenile Justice Board, East Champaran, at Motihari, which has, subsequent, been affirmed by learned Sessions Judge, East Champaran, at Motihari.

The petitioner is said to be in Observation Home since 16.03.2016. There is, however, no clue as to whether the enquiry, under Section 14 of the Juvenile Justice (Care and Protection of Children) Act, 2015, has so far been completed or not by the Juvenile Justice Board, East Champaran, at Motihari.

Considering the antecedent of the petitioner, I am not inclined to interfere with the impugned orders.

However, considering the nature of accusation made against the petitioner, it is directed that if the enquiry, under Section 14 Juvenile Justice (Care and Protection of Children) Act, 2015, is not completed by the Juvenile Justice Board, East Champaran, at Motihari, within a period of two months from the date of receipt/production of a copy of this order, the petitioner shall be released on bail forthwith.



This application stands disposed of with the
direction, as above.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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