

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.544 of 2016

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1. Saroj Yadav @ Saroj Kumar Son of Late Birendra Yadav, resident of
Village- Sahpur, P.S.- Mali, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Dr. Leelawati Kumari

For the Respondent/s : Mr. Indra Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 14-02-2017 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor representing the

State.

The petitioner is a child in conflict with law and
is an accused in Mahila Police Station Case No. 28 of 2015,
registered for the offence punishable under Sections 342
and 376 of the Indian Penal Code and Section 4 of the
Protection of Children from Sexual Offence Act, 2012.

The petitioner's application for his release on
bail was dismissed by the Juvenile Justice Board,
Aurangabad, by an order, dated 20.02.2016. His appeal
against the said order has also been rejected by an order,
dated 31.03.2016, by the learned Additional Sessions
Judge I, Aurangabad, passed in Criminal Appeal No. 08 of



2016/18 of 2016.

The present criminal revision application has been filed under Section 53 of the Juvenile Justice (Care and Protection of Children) Act, seeking setting aside the said two orders of the learned Courts below and direction to release the petitioner on bail.

It is submitted on behalf of the petitioner that he was taken into custody on 28.10.2015 and since then he is in custody/Observation Home.

By an order, dated 10.01.2017, a report was called for from the Juvenile Justice Board, Aurangabad, as regards the stage of enquiry, as contemplated under Section 14 of the Juvenile Justice (Care and Protection of Children) Act, 2000. In compliance of the said order, learned Principal Magistrate, Juvenile Justice Board, Aurangabad, has submitted a report, from which it appears that enquiry, under Section 14 of the Juvenile Justice (Care and Protection of Children) Act, 2000, is in progress, but has not concluded.

The plea, which has been taken on behalf of the petitioner, is that there is nothing on record to show that the petitioner's release will defeat the ends of justice, his prayer for release has been refused on that ground.

However, considering the fact that the enquiry,



under Section 14 of the Juvenile Justice (Care and Protection of Children) Act, 2000, is in progress, this application is disposed of with a direction to the Juvenile Justice Board, Aurangabad, to ensure that the enquiry is concluded within a period of four months from the date of communication of the present order.

If the enquiry, under Section 14 of the Juvenile Justice (Care and Protection of Children) Act, 2000, is not concluded by the Juvenile Justice Board, Aurangabad, within the aforesaid period of four months, the petitioner may renew his prayer for his release on bail before appropriate forum in accordance with law.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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