

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.953 of 2016

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1. Abhinandan Pandey @ Abhinandan Kr Pandey, under guardianship of his father, namely, son of Sri Vijay Pandey@ Jagarnath Resident of village-Rampurwa, P.s.- Pakadidayal, District-East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Manoj Kumar Singh

For the State : Mr. Md. Fahimuddin

Mr. Binay Kumar

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

4 21-02-2017 In compliance of the Court's order, dated 13.02.2017, the Superintendent of Police, East Champaran, at Motihari, has submitted a report to the following effect:-

"4. That, the matter relating to his personal conduct has been examined by the I.O. of Dhaka PS case no. 35 of 2015 and on examination by him, it is reported that previously, in Dhaka PS case no. 35 of 2015, this boy is recorded absent from Remand Home, Motihari, right from 11.07.15 to 02.05.16 (about ten months).

5. That, on enquiry by I.O. of Dhaka PS case no. 35/15 along with the SHO, Pakridayal within whose jurisdiction, the petitioner boy is inhabitant, it is reported that the petitioner is appearing candidate in ensuing matriculation



examination 2017, reported to commence from 01.03.17 and his Registration number is 55060-27958-14. (**Memo no. 253/17, dt. 20.02.17, Paper showing Reg. no. and certificate of the Headmaster of S. R. A. S. High School, Barkagoan, Pakridayal, are being annexed herewith**)

6. That, from the circumstances, it is obvious that, if the petitioner is released on bail, it will be difficult for the police administration to manage for his protection and production after his examination is over. So far as the point of protection is concerned then the arrangement will have to be made right from his home village to examination centre and the petitioner will be required to be put under day-to-day surveillance by the district police administration.

7. That, if the petitioner is not released on bail, sufficient arrangement can be made by the district police administration for appearance of the petitioner in the examination and again to keep under police protection to the Remand Home, during the period of examination and after the examination is over, he may be conveniently produced before the court for further proceeding of this case."

In view of the said report, I do not consider it to



be proper to direct for the petitioner's release on bail.

The District Police Administration is, however, directed to ensure that if the petitioner is willing to appear at the matriculation examination, proper arrangement for his protection shall be made, so that he may appear at the examination.

This application stands disposed of accordingly.

Further, it has been pointed out by learned Counsel for the petitioner that the enquiry, under Section 14 of the Juvenile Justice (Care and Protection of Children) Act, 2000, is not progressing.

Let the Juvenile Justice Board, East Champaran, at Motihari, ensure that the enquiry is concluded within a period of six months from the date of communication of the present order.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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