

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1046 of 2016

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1. Banti Chaudhary @ Banti Kumar minor son of Sri Kamlesh Chaudhary
Resident of Village- Manipur, P.S.- Brahmpur, District- Buxar, uder
guardianship of his father Kamlesh Chaudhary son of Late Kundan
Chaudhary, resident of Village- Manipur, P.S.- Brahampur, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kamlesh Prasad Yadav

For the Respondent/s : Ms. Anita Kumari

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

4 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 Brahmpur (Nainijore) Police Station Case
No. 38 of 2016, registered for the offence punishable under
Sections 454, 376 of the Indian Penal Code and Sections
3/4 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, Buxar, by
an order, dated 03.08.2016. His appeal against the said
order has also been rejected by an order, dated



24.08.2016, by the learned Additional Sessions Judge I, Buxar, passed in Criminal Appeal No. 40 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 10.03.2016 and since then he is in custody/Observation Home.

By an order, dated 24.01.2017, a report was called for from the Juvenile Justice Board, Buxar, as regards the stage of enquiry, as contemplated under Section 14 of the Juvenile Justice (Care and Protection of Children) Act, 2000.

Pursuant to the said order, dated 24.01.2017, learned Principal Judicial Magistrate, Juvenile Justice Board, Buxar, has submitted a report, from which it appears that the enquiry has commenced and the same is pending for evidence.

Considering the fact and circumstances of the case, this application is disposed of with a direction to the Juvenile Justice Board, Buxar, to ensure that the enquiry is concluded within a period of six 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, Buxar, within the aforesaid period of six 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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