

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Revision No.4 of 2017**

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1. Sonu Kumar Son of Umesh Singh (Under the Guardianship of his Father)  
Resident of Village-Muzaffara Kamtaul, P.S. Kurhani, District Muzaffarpur

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Subesh Sharma

For the Respondent/s : Mr. Rajeev Nayan

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

2     06-02-2017                      Heard learned Counsel for the petitioner and  
learned Additional Public Prosecutor representing the State.

The petitioner has been declared to be a juvenile and is an accused in Kurhani Police Station Case No. 91 of 2014, registered for the offences punishable under Sections 366 of the Indian Penal Code.

The petitioner's application for his release on bail was rejected by order, dated 22.09.2016, passed, by the Juvenile Justice Board, Muzaffarpur, in Kurhani Police Station Case No. 91 of 2014.

The appeal preferred by the petitioner against the said order, being Criminal Appeal (Juvenile) No. 84 of 2016, also came to be dismissed by an order, dated 19.11.2016, passed by the learned Sessions Judge,



Muzaffarpur.

In the present criminal revision application, the petitioner is aggrieved by the aforesaid two orders.

Learned Counsel appearing on behalf of the petitioner, drawing my attention to the impugned order, passed by the learned Sessions Judge, Muzaffarpur, has submitted that the petitioner's bail has been rejected merely on the ground that his release shall likely to bring him into the association with any known criminals and his release would defeat the ends of justice. According to him, said finding is there without any materials on record before the Appellate Court inasmuch as no social investigation report was called for. He has also submitted that even the Juvenile Justice Board, Muzaffarpur, while making similar observation at the time of refusal of the petitioner's prayer for his release on bail, no care was taken to wait for the social investigation report.

Learned Counsel for the petitioner appears to be right in his submission. There is nothing to show that social investigation report of the Probation Officer was called for or was available on record.

The impugned orders, dated 19.11.2016 and 22.09.2016, are accordingly set aside.

The matter is remitted to the Juvenile Justice



Board, Muzaffarpur, to consider the petitioner's prayer for his release on bail afresh after calling for the social investigation report.

The said exercise must be completed within a period of two months from the date of communication of the present order.

This application is allowed with the observation and direction, as above.

**(Chakradhari Sharan Singh, J.)**

Prabhakar Anand/-

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