

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.870 of 2017

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Rakesh Kumar, son of Shri Kailu Yadav, under the guardianship of his father Kailu Yadav, Son of Late Bhuttu Yadav, Resident of Village-Dadpur, P.S.- Tiyai O.P. (Bhagwanpur), District- Begusarai

.... Petitioner

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Petitioner/s : Mr. Smt. Sudha Ambastha

For the Respondent/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 21-09-2017 This criminal revision application is preferred against judgment and order dated 13.04.2017, passed by learned Sessions Judge, Begusarai in Cr. Appeal No.30 of 2017 upholding the order dated 20.02.2017, passed by Juvenile Justice Board, Begusarai rejecting the prayer of bail of the petitioner.

Learned counsel for the petitioner submits that FIR is against unknown and the allegation is of committing theft in the mobile kiosk. There is no material against the petitioner except the disclosure of his name by another co-accused, no recovery of any stolen article was made from possession of the petitioner, he is a student of Class VII only 14½ years old and the court without any material has observed that he is likely to go in association with known criminals though he has clean antecedent.

Having considered the fact that the petitioner's age is



assessed as 14½ years having no criminal antecedent prior to this case, so he is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Juvenile Justice Board, Begusarai in connection with Barauni P.S. Case No.368 of 2016 with condition that one of the bailors must be his father who will file an undertaking to keep his son in proper care so that he may not indulge in any criminal activity in future.

The application stands allowed.

(Arun Kumar, J.)

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