

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

**Criminal Revision No.788 of 2016**

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1. Md. Shafique Haque @ Md. Mithun Son of Zamiruddin R/o Village-  
Dharamdangi, P.S.- Abadpur, District- Katihar.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Md. Helal Ahmad

For the Respondent/s : Ms. Anita Kumari

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

5      31-01-2017                      Heard learned Counsel for the petitioner and  
learned Additional Public Prosecutor representing the State.

Learned Counsel for the petitioner, in the present criminal revision application under Section 53 Juvenile Justice (Care and Protection of Children) Act, 2000, while assailing the orders, dated 02.06.2016 and 19.07.2016, passed by the Juvenile Justice Board, Katihar and the Additional Sessions Judge I -cum- Special Judge, Katihar, whereby prayer of the petitioner to release him on bail is rejected, has submitted that despite there being no material to conclude, the Juvenile Justice Board, Katihar, and learned Additional Sessions Judge I -cum- Special Judge, Katihar, have refused to release the petitioner on bail on the ground that there was chance that if so released, there was possibility of being exposed to moral,



psychological or physical danger. He submits that neither any report was called for from the Probationer Officer nor any material was there before the Juvenile Justice Board and the Appellate Court.

I find substance in the submission made on behalf of the petitioner. The orders, dated 02.06.2016 and 19.07.2016, are set aside.

The Juvenile Justice Board, Katihar, is directed to consider the case of the petitioner afresh for his release on bail after seeking social investigation report from the Probation Officer.

Such exercise must be completed within a period of two months from the date of receipt/communication of the present order.

This application stands disposed of.

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

Prabhakar Anand/-

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