

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1024 of 2016

=====

1. Prashant Kumar S/o Sri Harishchandra Gupta through his natural Guardians,
namely Harishchandra Gupta & Sraswati Devi Who are father & mother R/o
Mohalla- Brahampura, Sanjay Cinema road, P.S.- Brahampura, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

with

=====

Criminal Revision No. 1041 of 2016

=====

Abhay Raj @ Abhay @ Abhay Kumar through his father and legal guardian namely
son of sri Manoj Kumar, resident of Mohalla-Bhartendu Gali, P.S. Brahmpura, District
Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

with

=====

Criminal Revision No. 1063 of 2016

=====

1. Shivam Singh @ Shivam @ Manni, through his father and legal guardian namely
son of Sri Suresh Prasad Singh resident of Mohalla- Batlar Colony, P.S.- Brahmpura,



District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

(In CR. REV. No.1024 of 2016), (In CR. REV. No.1041 of 2016) and
(In CR. REV. No.1063 of 2016)

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv, Mr. Pravin
Kumar, Adv, Mr. Shashank Shekhar, Adv
and Mr. Sanjay Kumar, Adv

For the State : Mr. Ranjit Ranjan, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL JUDGMENT

Date: 21-02-2017

These three criminal revision applications under
Section 12 of the Juvenile Justice (Care & Protection of Children)
Act, 2015 has been filed by the petitioners who have been declared to
be child in conflict with law in Sadar P.S. Case No. 299 of 2016
registered for the offences punishable under Sections 302, 201 read
with Sections 120B and 34 of the Indian Penal Code.

By different orders passed by the learned Sessions
Judge, Muzaffarpur, appeals preferred by these petitioners under
Section 12 of the Juvenile Justice (Care & Protection of Children)
Act, 2015 have been dismissed and thereby the orders passed by
Juvenile Justice Board, Muzaffarpur refusing to release the petitioners
on bail has been upheld.



The reason for refusal of concession of bail as assigned in the impugned orders is that their release would bring them into association of known criminals and expose them to moral, physical and psychological danger and it will defeat the interest of justice. It is submitted on behalf of the petitioner that there was no material before the court below to arrive at the conclusion that if released, petitioners would fall in association with known criminals. It has also been submitted that the observation made by the court and the Board that release of the petitioners will be against the interest of justice is without any sound basis. It has also been submitted that the Probation Officer has submitted social investigation report which also supports the case of the petitioners for their release on bail.

Be that as it may, considering all facts and circumstances of the case, I consider it expedient to dispose of these applications, with a direction to the Juvenile Justice Board, Muzaffarpur to expedite the conclusion of the inquiry contemplated under Section 14 of the Juvenile Justice (Care & Protection of Children) Act, 2015 within a maximum period of six months from the date of communication of the present order. All concerned are directed to ensure that no delay is caused in conclusion of the inquiry.

Without interfering with the orders impugned, these applications are disposed of with the observation as aforesaid.



If the trial is not concluded within a period of six months from the date of communication of this order, the petitioners may renew their prayer for bail, before appropriate forum in accordance with law.

(Chakradhari Sharan Singh, J)

Ranjan/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	06.03.2017
Transmission Date	06.03.2017

