

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1207 of 2016

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1. Virat Chaurasia @ Golu, Under the guardianship of his father Sriram Chaurasia,
Resident of Kalibari, Ward No.-4, P.S. & District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Chandra, Adv

For the Respondent/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date: 22-02-2017

The petitioner is a child in conflict with law. He is an accused in Khagaria P.S. Case No. 444 of 2016 registered for the offence punishable under Section 366A of the Indian Penal code. His application for release on bail has been rejected by the Juvenile Justice Board, Khagaria by order dated 16.08.2016. His appeal preferred against the said order dated 16.08.2016 has also been rejected by order dated 26.10.2016, passed by the learned Sessions Judge, Khagaria in Criminal Appeal No. 48 of 2016. Aggrieved by the said order, the petitioner has preferred present criminal revision application under Section 102 of the Juvenile Justice (Care & Protection of Children) Act, 2015. The basis for refusal to allow the



petitioner's prayer for release on bail as recorded by the Juvenile Justice Board, Khagaria and the court below is that if the petitioner is released on bail, he may fall in association with known criminals, and his release will be against the interest of justice.

Learned counsel for the petitioner, has submitted that there was no substantial basis for the Juvenile Justice Board, Khagaria or the court below to arrive at such conclusion. It has also been submitted that the it will not be in the interest of the juvenile to allow him to remain in observation home for an indefinite period as that will be detrimental to his career and future.

By an order dated 25.01.2017, a report was called for from the Juvenile Justice Board, Khagaria as regards status of inquiry under Section 14 of the Juvenile Justice (Care & Protection of Children) Act, 2015. A report has, accordingly been received, from which it appears that the accusation against the petitioner has been explained to him.

In the facts and circumstances of the case, I consider it appropriate to dispose of this application without interfering with the orders impugned, with a direction to the Juvenile Justice Board, Khagaria to conclude the inquiry under Section 14 of the Juvenile Justice (Care & Protection of Children) Act, 2015 within a period of three months from the date of communication of the present order.



If the inquiry is not concluded within the aforesaid period of three months, the petitioner shall be at liberty to renew his prayer for bail before appropriate forum in accordance with law.

This disposes of this application.

(Chakradhari Sharan Singh, J)

Ranjan/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

