

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1061 of 2016

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Sandeep Kumar son of Jai Prakash Kumar, resident of village-Hazipur, P.S. Kesariya, District East Champaran, at present R/o Chhota Bariyarpur, Police Station-Chhatauni, District East Champaran, under Guardian-ship of his Grand Father namely Shambhu Narayan Kunwar son of Late Rajdeo, r/o Chhota Bariyarpur, Police Station-Chhatauni, District East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date: 14-02-2017

The petitioner is an accused of an offence punishable under Section 302 of the Indian Penal Code in Chhatauni Town P.S. Case No. 107 of 2016. He has been declared as a child in conflict with law. He is in observation home.

The petitioner is aggrieved by order dated 28.09.2016 passed by learned 12th Additional Sessions Judge, East Champaran, Motihari in Criminal Appeal No. 112 of 2016, whereby, he has dismissed the appeal preferred by him and confirmed the order dated 19.08.2016 passed by the Juvenile Justice Board, Motihari in Trial No. 979 of 2016 arising out of Chhatauni Town P.S. Case No. 107 of



2016, whereby, his prayer for bail has been rejected.

Learned counsel for the petitioner has submitted that there is absolutely no material for showing the petitioner's complicity in commission of the offence except suspicion.

On perusal of the order passed by the Board and the appellate court, I find that the police has submitted chargesheet against the petitioner and the Board and the court below have observed that the petitioner's release is likely to defeat the ends of justice.

In compliance of an order of this Court dated 24.01.2017, learned Principal Magistrate, Juvenile Justice Board, East Champara, Motihari has submitted a report stating therein that the case before the Board is running for want of cognizance order.

Considering the fact that the petitioner is juvenile and he is an accused under Section 302 of the Indian Penal Code, in the facts and circumstances of the case, his release may expose him to physical danger, I am of the view that the inquiry against him before the Board should be expedited and concluded within a period of six months.

Accordingly, this application is disposed of without interfering the order passed by the court below and the Board is directed to expedite the conclusion of inquiry against the petitioner



under Section 14 of the Juvenile Justice Act, within a period of six months from the date of receipt/communication of the present order. If the inquiry is not completed within the aforesaid period, the petitioner shall be at liberty to renew his prayer for bail in accordance with law.

(Chakradhari Sharan Singh, J)

Ranjan/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	20.02.2017
Transmission Date	N.A.

