

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.504 of 2016

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1. Shankar Yadav @ Shankar Kumar Yadav s/o Vijay Yadav, Resident of
village- Karanpur, P.S. Rajauli, District- Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar

For the Respondent/s : Mr. Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 14-02-2017 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor representing the

State.

The petitioner is a child in conflict with law and
is an accused in Rajauli Police Station Case No. 61 of 2015,
registered for the offence punishable under Sections 376,
354 and 379 of the Indian Penal Code.

The petitioner's application for his release on
bail was dismissed by the Juvenile Justice Board, Nawada,
by an order, dated 07.11.2015. His appeal against the said
order has also been rejected by an order, dated
01.04.2016, by the learned Sessions Judge, Nawada,
passed in Criminal Appeal (Juvenile) No. 08 of 2016.

The present criminal revision application has



been filed under Section 53 of the Juvenile Justice (Care and Protection of Children) Act, seeking setting aside the said two orders of the learned Courts below and direction to release the petitioner on bail.

It is submitted on behalf of the petitioner that he was taken into custody on 30.06.2015 and since then he is in custody/Observation Home.

By an order, dated 09.01.2017, a report was called for from the Juvenile Justice Board, Nawada, as regards the stage of enquiry, as contemplated under Section 14 of the Juvenile Justice (Care and Protection of Children) Act, 2000. In compliance of the said order, the Juvenile Justice Board, Nawada, has submitted a report, from which it appears that police report was not received by the Juvenile Justice Board, Nawada till 17.01.2017, when certified copies of the charge sheet and cognizance order were submitted on behalf of the juvenile.

Apparently, thus, there is absolutely no progress in the enquiry, as contemplated under Section 14 of the Juvenile Justice (Care and Protection of Children) Act, 2000, which is to be completed within a period of four months or within such period, as extended by the Chief Judicial Magistrate.

From the orders impugned, I find that the



Courts below have done the rituals of mentioning that petitioner's release on bail is likely to defeat the ends of justice.

Considering the above, this revision application is allowed. The orders, dated 07.11.2015 and 01.04.2016, are set aside.

Let the petitioner be released on bail on furnishing an affidavit by his father to the effect that he will look after the interest of the petitioner and will not allow him to fall in bad company. In addition to the affidavit, the father of the petitioner will also be required to furnish personal bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Juvenile Justice Board, Nawada, in connection with Rajauli Police Station Case No. 61 of 2015. On furnishing of such affidavit and sureties, the petitioner shall be released on bail.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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