

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.125 of 2017

=====

1. Pradeep Kumar @ Pradip Rai, Son of Ambika Rai, resident of village -
Moriya Purab Tola, P.S. Panapur, District - Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Respondent/s : Dr. Indihar Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 06-07-2017 Heard learned Counsel for the petitioner and the
learned Additional Public Prosecutor representing the State.

The petitioner has been declared to be a juvenile. He has been made accused in Panapur P.S. Case No. 83 of 2016, registered for the offences punishable under Sections 147,148,149,341,323,302 of the Indian Penal Code. He is aggrieved, in the present criminal revision application under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2000, by an order, dated 02.12.2016, passed by the learned First Additional Sessions Judge, Saran at Chapra in Criminal Appeal (Juvenile) No. 26 of 2016, whereby he has refused to interfere with the order, dated 02.11.2016, passed by the learned Principal Magistrate, Juvenile Justice Board, Saran at Chapra, refusing the petitioner's application for his release on bail.



Learned counsel for the petitioner, referring to the First Information Report, has submitted that even if the allegations are treated to be true, no specific overt act has been attributed to this petitioner. According to him, the occurrence, if any, had taken place over dispute between two families. There is nothing on record to suggest that if released on bail, there would be likelihood of petitioner falling in association of known criminals. According to him, co-accused Ambika Rai, against whom specific role has been attributed, has been allowed bail by this Court by order, dated 06.04. 2017 passed in Cr. Misc. No. 7663 of 2017.

Considering the above, this revision application is allowed. The order, dated 02.12.2016, passed by the learned Sessions Judge, Saran at Chapra, is 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Juvenile Justice Board, Saran at Chapra, in connection with JJB Case No. 1529 of 2016 arising out of Panapur P.S. Case No. 83 of 2016. On furnishing of such affidavit and sureties, the petitioner shall



be released on bail.

(Chakradhari Sharan Singh, J)

ArunKumar/-

U			
---	--	--	--

