

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Revision No.1040 of 2017**

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Vijay Kumar @ Vijay Thakur S/o Sone Lal Thakur, R/o Village-  
Manjhauriya, P.S.- Bathnaha, District- Sitamarhi.

.... .... Petitioner

Versus

The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh

For the Respondent/s : Mr. Sri Rajendra Nath Jha

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR**  
**ORAL ORDER**

3      23-11-2017                      Heard learned Counsel for the petitioner as well as the  
learned Counsel for the State.

This revision is preferred against the orders passed by the  
learned Sessions Judge, Sitamarhi and Juvenile Court Sitamarhi dated  
9.8.2017 and 14.6.2017 respectively in connection with Bathnaha PS  
Case No. 15 of 2017 rejecting the prayer of bail of the petitioner.

Learned Counsel for the petitioner submits that the FIR is  
against unknown and the only material which transpired during  
investigation against the petitioner and his parents is that they were  
seen last with the deceased boy. It is also submitted that the prayer of  
bail was rejected considering the nature of the offence as well as that  
in case of release the petitioner may go in the association of known  
criminals but the fact is that the petitioner has got no criminal  
antecedent. There is no such report either of the Police or Social  
Investigation Report.



The Court has gone through both the impugned orders and considering the nature of the offence the prayer of bail of the petitioner was rejected, which is not a correct approach. There is nothing on record to show that the petitioner, a juvenile of 16 years 1 month and 9 days has got any criminal antecedent so no question arises of going in the company of known criminals in case of his release, however no material is on record to show that in case of release on bail he may be exposed to moral, physical or psychotically danger.

Having considered facts and circumstances of the case, the petitioner Vijay Kumar @ Vijay Thakur is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Juvenile Justice Board, Sitamarhi in connection with J.J.B. Case No. 1445 of 2017 (Bathnaha PS Case No. 15 of 2017).

One of the bailors must be his close relative, who shall file an undertaking to keep the petitioner in proper care so as not to indulge in any criminal activity in future.

**(Arun Kumar, J)**

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