

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.258 of 2017

=====

1. Dablu Kumar @ Pintu Kumar, Son of Late Ratan Yadav, resident of Village- Bela, P.S.- Gurua, District- Gaya, under Guardianship of his mother, Nageena Devi, W/o Late Ratan Yadav, resident of Village- Bela, P.S.- Gurua, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Respondent/s : Mr. Sri Shailendra Kumar -2, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 20-04-2017 The petitioner has been declared to be a juvenile as on the date of occurrence of Gurua P.S. Case No. 101 of 2016 registered for the offence punishable under Sections 341, 323, 325, 308 read with 34 of the Indian Penal Code to which Section 302 of the Indian Penal Code has subsequently been added. He has been named in the First Information Report with his brother and grandfather. It appears from the First Information Report that some scuffle had ensued between two parties after altercation between them. The accused persons are said to have assaulted the informant with lathi.

The petitioner had applied for his release on bail which has been rejected by the Juvenile Justice Board, Gaya by an



order dated 23.11.2016. The Sessions Judge, Gaya has affirmed the said order dated 23.11.2016, by his order dated 20.01.2017 passed in Criminal Appeal No. 104 of 2016. Aggrieved, the petitioner has approached this Court against the said impugned order by filing present criminal revision application under Section 102 of the Juvenile Justice (Care and Protection of Children) Act. The Board and the court below have refused to release the petitioner on bail on the only ground that his release will defeat the ends of justice. Nothing is mentioned in the order as to how the petitioner's release will defeat the ends of justice. The petitioner is apparently not habitual criminal and is not engaged in any professional crime.

I do not find in such circumstance why his application for release on bail could not have been favourably considered by the Board and the court below. The impugned order dated 23.11.2016 is set aside.

Considering the facts and circumstances of the case and other materials on record, let the petitioner, during the pendency of the criminal revision application, be released on bail on furnishing bail bond of Rs. 10,000/ with two sureties of the like amount each to the satisfaction of the learned Principal Magistrate, Juvenile Justice Board, Gaya in connection with Misc. Case No.



145 of 2016 (G.R. No. 1242 of 2016 arising out of Gurua P.S.
Case No. 101 of 2016.

(Chakradhari Sharan Singh, J)

Vats/-

U		T	
---	--	---	--

