

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.938 of 2016

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1. Md. Jisan Alam @ Md. Nishan @ Nishan @ Jisan Alam S/o Md. Rizwan Alam Resident of Village - Chhappan, P.S. - Bhawanipur in the District of Purnea under guardianship of mother Nazara Khatoon, W/o Md. Rizwan Alam, Resident of Village - Chhappan, P.S. - Bhawanipur in the District of Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Respondent/s : Ms. Sangeeta Sharma

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

3 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 Bhawanipur Police Station Case No. 52 of 2013, registered for the offence punishable under Sections 376, 323, 504 read with Section 34 of the Indian Penal Code.

The petitioner's application for his release on bail was dismissed by the Juvenile Justice Board, Purnea, by an order, dated 20.07.2016. His appeal against the said order has also been rejected by an order, dated



12.08.2016, by the learned Sessions Judge, Purnea, passed in Criminal Appeal No. 45 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 16.12.2015 and since then he is in custody/Observation Home.

By an order, dated 24.01.2017, a report was called for from the Juvenile Justice Board, Purnea, as regards the stage of enquiry, as contemplated under Section 14 of the Juvenile Justice (Care and Protection of Children) Act, 2000.

Pursuant to the said order, dated 24.01.2017, learned Principal Magistrate, Juvenile Justice Board, Purnea, has submitted a report, which does not give any clue as to what is the stage of the enquiry, under Section 14 of the Juvenile Justice (Care and Protection of Children) Act, 2000.

Learned Counsel for the petitioner has submitted that the learned Courts below have refused the prayer of bail of the petitioner on the ground that his



release may exposed to moral, physical and psychological danger.

However, considering the fact and circumstances of the case, this application is disposed of with a direction to the Juvenile Justice Board, Purnea, to ensure that the enquiry is concluded within a period of six months from the date of communication of the present order.

If the enquiry, under Section 14 of the Juvenile Justice (Care and Protection of Children) Act, 2000, is not concluded by the Juvenile Justice Board, Purnea, within the aforesaid period of six months, the petitioner may renew his prayer for his release on bail before appropriate forum in accordance with law.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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