

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.224 of 2017

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1. Aman Kumar under the guardianship of his father Sri Ram Jeevan Pathak, Resident of Village- Shahpur, P.S.- Muffasil (Lakho O.P.), District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Mishra

For the Respondent/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 13-04-2017 Heard learned counsel for the parties.

2. The petitioner is an accused in Begusarai Muffasil (Lakho O.P.) P.S. Case No. 378 of 2016 registered for the offence punishable under Section 25 (1-B) A of the Arms Act and has been declared as juvenile. His application for release on bail has been rejected by the Board as well as the learned Sessions Judge, Begusarai. Aggrieved by the said decision, the present criminal revision application has been filed.

3. What is noticed from the impugned order is that the petitioner's application for his release has been rejected mainly on the ground that there was chance of him intermingling with persons of criminals and persons of bad character and will be exposed to moral, physical and



psychological danger.

4. Pursuant to order of this Court, dated 10.03.2017, the Juvenile Justice Board has submitted his report as regards status of the enquiry under Section 14 of the Juvenile Justice (Care & Protection of Children) Act, 2015. The Juvenile Justice Board was also required to inform this Court regarding opinion of the Probation Officer recorded in social investigation report. The Juvenile Justice Board has submitted a report from which it appears that the Probation Officer has given a positive report on the conduct of the petitioner.

5. In my view, in the best interest of the welfare of the juvenile, it would be fruitful to release him on bail so that he may live with his parents in family atmosphere. Accordingly, the impugned order, dated 05.01.2017 passed by learned Sessions Judge, Begusarai, is set aside.

Let the petitioner above named 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, Begusarai in connection with J.J.B. No. 934 of



2016. On furnishing of such affidavit and sureties, the petitioner shall be released on bail.

(Chakradhari Sharan Singh, J)

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