

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.435 of 2017

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1. Deepak Kumar, Son of Indradeo Yadav, Resident of Village- Gulamdih, P.S.- Barachatty, District- Gaya Under guardianship his mother namely Ful Kumari Devi, Wife of Indradeo Yadav, Resident of Village- Gulamdih, P.S. Barachatty, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Respondent/s : Mr. Umanath Mishra

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

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

The petitioner, who is a juvenile, is accused in Barachatty Police Station Case No. 300 of 2016. His application for bail has been rejected by an order, dated 27.01.2017, passed by Juvenile Justice Board, Gaya. His appeal against the said order of the Juvenile Justice Board, Gaya, also came to be rejected by learned Sessions Judge, Gaya, by his order, dated 09.03.2017, passed in Criminal Appeal (Juvenile) No. 09 of 2017.

This criminal revision application has been filed, under Section 53 of the Juvenile Justice (Care and Protection of Children) Act, 2015, against the said order



passed by the learned Sessions Judge, Gaya.

Learned Counsel for the petitioner has submitted that the petitioner, his father, his grandfather and his uncle, all of them have been made accused in the case. According to him, there is nothing specific against him and his application for bail has been rejected on a vague ground that his release will defeat the ends of justice. It has also been submitted that the petitioner is pursuing Intermediate course and he has remained in custody/Observation Home for nearly 08 months.

Considering the nature of accusation and other materials, which could have, otherwise, disentitled the petitioner from his release on bail, I am of the view that a case for his release is made out since he does not appear to be a habitual offender having any criminal antecedent.

Let the petitioner be released on bail on furnishing an affidavit by his mother to the effect that she will look after the interest of the petitioner and will not allow him to fall in bad company. In addition to the affidavit, the mother 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, Gaya, in connection with Barachatty Police Station Case No. 300 of 2016. On furnishing of such affidavit



and sureties, the petitioner shall be released on bail.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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