

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.486 of 2016

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1. Raju Kumar Das @ Raju Das, son of Shiven Das, resident of village-
Kolha, P.S.- Barsoi (Sudhani) O.P., District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Respondent/s : Mr. Sahin Begam (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 02-02-2017 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor representing the State.

The petitioner has been declared child in conflict with law and is an accused in Balrampur Police Station Case No. 140 of 2015, registered for the offences punishable under Sections 3302, 324, 307, 120B read with Section 34 of the Indian Penal Code. He is in Observation Home since January, 2016. His application for release on bail has been rejected by the Juvenile Justice Board, Katihar, by order, dated 29.12.2015, which order has been affirmed by learned Additional Sessions Judge V, Katihar, vide order, dated 16.04.2016, passed in Criminal Appeal No. 08 of 2016.

Against the aforesaid orders, the present criminal revision application has been filed under Section 53



Juvenile Justice (Care and Protection of Children) Act, 2000.

By an order, dated 09.01.2017, a report was called for from the Juvenile Justice Board, Katihar, seeking report as regards stage of enquiry, contemplated under Section 14 Juvenile Justice (Care and Protection of Children) Act, 2000. The report has reached, from which it appears that there is no substantial progress of the enquiry before the Juvenile Justice Board, Katihar.

From the orders impugned, I find that the Juvenile Justice Board, Katihar, and the learned Appellate court, are of the view that if release on bail, the petitioner may be exposed to psychological danger.

Learned Counsel for the petitioner has submitted that there was no basis for the Juvenile Justice Board or the learned Appellate Court to arrive at a conclusion that the petitioner will be exposed to psychological danger, if released on bail. It has been submitted that the petitioner's father is able to ensure safety of the petitioner, if released on bail.

For the present, I am not inclined to interfere with the orders refusing bail.

The Juvenile Justice Board, Katihar, is, however, directed to expedite the enquiry and conclude it within a period of six months from the date of communication of the



present order.

If the enquiry, under Section 14 Juvenile Justice (Care and Protection of Children) Act, 2000, is not concluded by the Juvenile Justice Board, Katihar, within the aforesaid of six months, the petitioner will be at liberty to renew his prayer for bail before the appropriate forum in accordance with law.

This application stands disposed of with the observation and direction, as above.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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