

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.512 of 2017

Arising Out of PS.Case No. -null Year- null Thana -null District- NALANDA (BIHARSHARIFF)

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Md. Amir @ Abid @ Bottal Son of Manjar Alam, Resident of Village/Mohalla-Khasganj, P.S.- Soh Sarai, District- Nalanda under the guardianship of his father Manjar Alam.

.... Petitioner

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Petitioner : Mr. Pramod Kumar, Advocate
Mr. Ritesh Kumar, Advocate
For the State : Mr. Sanjay Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL JUDGMENT

Date: 29-08-2017

The petitioner has challenged the order dated 23.11.2016 passed by Juvenile Justice Board in Bihar P.S. Case No.356 of 2015 registered under Sections 302, 120(B) of the Indian Penal Code and 27 of the Arms Act, whereby his prayer for bail was rejected and again by order dated 23.1.2017 passed by 1st Additional Sessions Judge, Nalanda at Bihar Sharif in appeal his prayer for bail was turned down.

2. Learned counsel for the petitioner submits that F.I.R. is against unknown and no material transpired during investigation connecting the petitioner in the alleged offence. Moreover, this petitioner was found less than 15 years of age at the time of



occurrence and the Juvenile Justice Board as well as the court of 1st Additional Sessions Judge rejected the bail application without assigning any reason that how in case of his release he would be exposed to moral, physical and psychological danger and how it would defeat the ends of justice.

3. Having considered the said facts and circumstances, the petitioner, namely, Md. Amir @ Abid @ Bottal is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge, Nalanda at Bihar Sharif in Juvenile Appeal No.2 of 2017 arising out of Bihar P.S. Case No.356 of 2015. One of the sureties should be his father and he will also file an affidavit stating that he will keep his son (petitioner) in his proper guardianship and care, so that he may not indulge in any criminal activity.

4. This revision application is allowed.

(Arun Kumar, J)

N.H./-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	08-09-2017
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