

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.81 of 2018

Arising Out of PS. Case No.-352 Year-2017 Thana- GARKHA District- Saran

Rahul Kumar, Son of Sri Tarkeshwar Sah, Resident of Village- Bajitpur,
Police Station- Garkha, District- Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar Shrivastava

For the Respondent/s : Mr. SRI SHYAMESHWAR DAYAL

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 13-03-2018 The juvenile/petitioner is alleged to have made attempts to subject the victim to rape but could not succeed. However in the process, he violated her femininity and consequently was made accused for the offences under Sections 376/511 of the Indian Penal Code and Sections 7 and 8 of the POCSO Act, 2012 vide Garkha P.S. Case No. 352 of 2017 dated 30.08.2017.

The Juvenile Justice Board, Chapra vide order dated 01.11.2017 assessed the age of the juvenile/petitioner as less than 15 years on the date of the occurrence. By order dated 02.11.2017 the J.J.B. refused the prayer of the petitioner for being released



from the remand home where he has been lodged since 31.08.2017. The learned appellate court also decided likewise vide judgment dated 20.11.2017.

The records reveal that there is no adverse remark in the social investigation report about the petitioner.

Considering the minor age of the juvenile/petitioner, the nature of accusation against him and his stay in the remand home since 31.08.2017, this Court is inclined to release him from the remand home.

Let the juvenile/petitioner above named be released from the remand home on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Juvenile Justice Board, Chapra in connection with J.J.B. Case No. 1718 of 2017, arising out of Garkha P.S. Case No. 352 of 2017.

One of the bailors shall be his father, who at the time of filing his bail bonds, shall furnish an undertaking in clear and categorical terms that he shall take good care of his child and in case he finds that the



juvenile/petitioner is not responding to his advice, he shall report the matter forthwith to the officer-in-charge of the concerned police station.

With the aforesaid direction, this revision petition is disposed of.

(Ashutosh Kumar, J)

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