

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.978 of 2017

Arising Out of PS. Case No.-152 Year-2016 Thana- PURNEA SADAR District- Purnia

Suresh Uraon, under guardianship of his father Bharat Lal Uraon, Resident of Village- Punna Tola Ranipatra P.S.- Sadar (Muffasil), District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh kumar

For the Respondent/s : Mr. SRI SHAILENDRA KUMAR SINGH

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 21-03-2018 Earlier, the petitioner's application for his release on bail in connection with Sadar (Mufassil) P.S. Case No. 152 of 2016 was disposed of by an order, dated 08.02.2017. The petitioner is admittedly a juvenile and accused of commission of the offence punishable under Sections 363,366A, 376,307 of the Indian Penal Code and Sections 3,4,6 of the Prevention of Children from Sexual Offences Act.

2. The Criminal Revision application under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 is maintainable against an appellate order. There is no appellate order, which can be said to be under challenge in the present criminal revision application since the order dated 14.11.2016, passed in Criminal Appeal No. 73 of 2016 was



under challenge in the said Criminal Revision No. 1219 of 2016, which came to be disposed of by the said order, dated 08.02.2017.

3. In that view of the matter, I hold that this criminal revision application is not maintainable.

4. The petitioner shall, however, have liberty to apply for his release on bail if he has not already been released before the concerned Juvenile Justice Board, Purnea

5. The Court, however, observes that the custody of a juvenile on the pretext of enquiry for such a long time is not in tune with the scheme of the Juvenile Justice (Care and Protection of Children) Act, 2015. If any application for bail is filed before the Juvenile Justice Board, Purnea, the Juvenile Justice Board shall proceed accordingly and pass appropriate order without any delay.

6. This application stands disposed of.

(Chakradhari Sharan Singh, J)

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