

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1022 of 2017

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Lal Krishna Adwani, Son of Lalan Paswan, Resident of Village – Baruapul Mahabir Asthan, P.S. – Barun, District – Aurangabad. (Bihar)
Under Guardianaship of the Grandfather namely Ram Narayan Ram @ Paswan, Son of Late Suba Paswan, Resident of Village – Baruapul Mahabir Asthan, P.S. – Barun, District – Aurangabad. (Bihar)

... Petitioner/s

Versus

The State of Bihar

... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Respondent/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 06-02-2018 The petitioner has approached this Court through his grand-father for being released from the remand home in connection with Barun P.S. Case No. 48 of 2017 dated 15.03.2017 instituted for the offences under Sections 147, 148, 149, 341, 323, 307, 302 and 120(B) of the Indian Penal Code.

The petitioner was declared a juvenile by the JJB, Aurangabad and is in remand home since 16.03.2017. From the appellate order, it appears that the prayer for the release of the juvenile was rejected on the ground that from the reading of the allegations in the FIR, the case appeared to be one of a pre-planned murder and the accused persons including the petitioner had the knowledge of the result of the act which was indulged in by them. From the judgment impugned, it however does not appear that the appellate court took note of any social



investigation report or report of any Probation Officer regarding the danger of the petitioner coming in company of veteran criminals, if he is released from the remand home. Under similar circumstances, another juvenile viz. Ajit Kumar has been directed to be released from the remand home by order dated 02.11.2017 in Cr. Rev. No. 938 of 2017. The allegations levelled in the FIR also do not reveal that the petitioner's assault caused the death of Sabal (deceased). Many persons are said to have assaulted the deceased and the petitioner was only part of the group which had surrounded and assaulted the deceased.

Taking into account the aforesaid facts as also the period for which the petitioner above named is lodged in the remand home, he is directed to be released from the remand home on his furnishing 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, Aurangabad in connection with Barun P.S. Case No. 48 of 2017, subject to the condition that one of the bailors should be a close relative of the juvenile who would file an undertaking along with the bonds that he shall keep the juvenile under proper care and supervision.

The revision application is allowed.

(Ashutosh Kumar, J)

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