

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1119 of 2017

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Sonu Kumar, son of Rajju Pandit @ Raj Kumar Jha, resident of Mohalla-
Indra Tola, Ward No. 8, Barahiya, P.S.-Barahiya, District-Lakhisarai,
through his father and natural guardian Rajju Pandit @ Raj Kumar Jha, son
of Baban Jha, resident of Mohalla-Indra Tola, Ward No. 8, Barahiya, P.S.-
Barahiya, District-Lakhisarai

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Respondent/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 24-01-2018

The petitioner, who is a juvenile has approached

this Court through his father for his release from remand home
where he has been lodged in connection with G.R.P. Kiul
(Barahiya) P.S. Case No. 239 of 2016 dated 18.12.2016 instituted
for the offences under Sections 302, 201/34 of the Indian Penal
Code.

Learned counsel for the petitioner has submitted
that from the F.I.R itself, it would appear that the allegation
levelled against the petitioner/juvenile is on the basis of suspicion
and nothing else.

The grandson of the informant was found to be
lying dead on railway tracks. It has been alleged in the F.I.R that
the deceased had brought a mobile telephone from the son of one



Lakshman Mahto and the aforesaid son of Lakshman Mahto had come to his house for taking his mobile. The deceased is then alleged to have said that he shall collect it from the petitioner and thereafter give it to him. The son of Lakshman Mahto and the deceased thereafter left for the house of the petitioner but never returned. The dead body of the deceased was found on 18.12.2016.

Apart from the aforesaid statement made in the F.I.R that the deceased along with another had gone to the house of the petitioner, there is no other material to connect the petitioner with the crime.

The petitioner has been declared a juvenile by the Juvenile Justice Board, Lakhisarai vide order dated 17.06.2017 and his age on the date of the occurrence has been assessed as fourteen and half years.

The petitioner is in remand home since 20.12.2016.

Learned counsel for the petitioner has also drawn the attention of this Court that both the Courts below viz. Juvenile Justice Board as well as the Appellate Court have not taken care to refer to the social investigation report of the petitioner/juvenile. It has further been submitted that because of



village dispute against the family members of the petitioner, there are six cases pending adjudication and in one of such cases, the petitioner has been made accused.

Regard being had to the aforesaid facts, this Court is inclined to release the petitioner/juvenile from the remand home.

Let the petitioner, above named, 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 learned Juvenile Justice Board, Lakhisarai in connection with G.R. No. 447 of 2016, arising out of G.R.P. Kiul (Barahiya) P.S. Case No. 239 of 2016.

The present revision petition is accordingly allowed.

(Ashutosh Kumar, J)

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