

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1148 of 2017

Arising Out of PS. Case No.-113 Year-2017 Thana- BHABHUA District- Bhabhua (Kaimur)

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Mantu Giri, Son of Shivchandra Giri, Resident of Mohalla- Ward No.1,
Bhabua Astabhuji Chowk, P.S.- Bhabua, Distt- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner	:Mt. Ravi Nandan Sahay, Advocate. Mr. Ajay Nandan Sahay, Advocate.
For the Respondent	:Mr. Navin Kumar Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 12-03-2018 The petitioner/juvenile is aggrieved by the order dated 11.09.2017 passed by the learned Additional Sessions Judge-cum-Special Judge, Kaimur at Bhabua in Children Trial Registration No. 05 of 2017 arising out of Bhabua P.S. Case No. 113 of 2017 whereby the aforesaid court has refused to release the petitioner/juvenile from the remand home/or grant him bail.

The petitioner/juvenile is the husband of the deceased. On the date of the occurrence, his age was assessed to be more than 16 and less than 18 years of



age.

From the perusal of the records, it is revealed that the learned Juvenile Justice Board, Bhabua by order dated 11.09.2017 assessed the mental capability of the appellant and decided to transfer the case to the Children Court in accordance with Section 15 of the Juvenile Justice (Care and Protection) Act, 2015 by the order dated 28.07.2017.

The deceased was found to be excessively underweight and she died because of a fall from the staircase. The records further reveal that she was taken to Varanasi for treatment and the death occurred during the course of the treatment. These facts have been recorded in several paragraphs of the case diary. Apart from this, except for the persons belonging to the maternal family of the deceased, no other person has supported the occurrence of torture of the deceased leading to her death. It was also found out by the investigating agency that because the petitioner was not a good looking person whereas the deceased had better looks, the



deceased did not like the petitioner/juvenile and always fought with her.

The petitioner/juvenile is in remand home since 02.03.2017.

Learned counsel for the petitioner has submitted that from the records, it would further appear that the petitioner is a disciplined person and there is nothing on record to say that his release from the remand home or his being bailed out would bring him in the company of veteran criminals or would expose him to other ways of life which may not be conducive to his well being in future.

Considering the aforesaid facts this Court is inclined to release the petitioner/juvenile from the remand home.

The petitioner/juvenile above named 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 the learned Additional Sessions Judge-cum-Special Judge/Children Court,



Kaimur at Bhabua in connection with Children Trial No. 51 of 2017 arising out of Bhabua P.S. Case No. 113 of 2017.

Though the parents of the petitioner/juvenile have also been made accused in this case and have been granted bail, but both the parents shall be the bailors of the petitioner. At the time of filing the bail bonds, they shall furnish an undertaking that they shall take good care of the petitioner/juvenile and would help him rehabilitate in social life.

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

(Ashutosh Kumar, J)

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