

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Revision No.417 of 2018**

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1. Ankit Kumar, S/o Pappu Kumar Chandrawanshi, R/o East Lohanipur, Bhushal Lane, P.S.- Kadamkuan, District- Patna.

2. Shubham Kumar, S/o Ram Pravesh Sah @ Ram Pravesh Kumar, R/o Mohalla- East Lohanipur, Das Lane, near Tara Kunj, P.S.- Kadamkuan, District- Patna.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Kamod Kumar Vidyarthi, Adv.

For the State : Mr. Ram Priya Saran Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

6      22-06-2018                      The petitioners have been made accused in a case *vide* Patna Junction (Rajendra Nagar) Rail P.S. Case No. 51 of 2018, dated 18.02.2018 instituted for the offences under Sections 394 and 411 of the Indian Penal Code.

The petitioners were dedared juvenile by the learned Juvenile Justice Board, Patna but the case of the petitioners was sent to Children Court as the case comes within the category of heinous offences, as defined under Section 2 (33) of the Juvenile Justice (Care and Protection of Children) Act, 2015 and the age of the petitioners has been



assessed to be more than 16 and less than 18 years.

The learned Children Court *vide* his order dated 04.04.2018, rejected the prayer of the petitioners for being released from the remand home only on the ground of recovery of mobile phone and wrist watch from their possession respectively.

Learned counsel for the petitioners has submitted that no effort was made by the Children Court to see the report of the Probation Officer. The Children Court has also not taken into account the fact that the petitioners do not have any criminal antecedent.

Both the petitioners are in custody since 19.02.2018.

Considering the aforesaid facts, the petitioners, above named, are directed to be released from the remand home, on their furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-I-cum-Special Judge (POCSO), Patna in connection with Patna Junction (Rajendra Nagar) Rail P.S. Case No. 51 of 2018.

One of the bailors shall be a near relative of the petitioners, who, at the time of filing of their bonds, shall give an undertaking that he/she will take good care of the



petitioners and in case the petitioners avoid paying heed to his/her advice, he/she would report the matter forthwith to the Officer-In-Charge of the concerned police station.

This revision petition stands disposed of.

**(Ashutosh Kumar, J)**

Praveen-II/-

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