

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.302 of 2018

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Amir @ Amir Hussain Son of Samiullah Resident of Village-
Matihani Madho, Police Station- Mirganj, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad
For the Respondent/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

7 10-08-2018 The petitioner, who is a juvenile has approached this Court through his father for his release from remand home/place of safety where he has been lodged in connection with Bhagwanpur Hat P.S. Case No. 224 of 2015 dated 14.12.2015, instituted for the offences under Sections 399, 402, 412, 414, 34 of the Indian Penal Code and Section 25(1-B) a, 26, 35 of the Arms Act.

The learned counsel for the petitioner/juvenile has submitted that though he has been made accused in six other cases but those cases have been lodged while the petitioner was behind the bars. In the first case of the series, the petitioner was caught with a firearm weapon and he was taken in custody on 06.01.2016. Thereafter, he has never come out of jail and every time, on suspicion, he is being



made accused by the local police. Even in the present case, it has been argued, though petitioner has been named in the F.I.R but only on the basis of confession of a co-accused who was arrested on chase by the police.

The learned counsel for the petitioner has therefore submitted that the aforesaid facts only demonstrate that the petitioner is being falsely implicated and a conscious effort has been made to keep him behind the bars.

Considering the aforesaid facts as also the nature of accusation in the present case coupled with the period for which he has remained in the remand home/place of safety though not in this case, from 06.01.2016, this Court only deems it appropriate that he be released from the remand home/place of safety.

The petitioner, above named, he is directed to be released 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, Siwan in connection with J. Tr. No. 113 of 2017, arising out of Bhagwanpur Hat P.S. Case No. 224 of 2015.

One of the bailors shall be the father of the petitioner, who at the time of filing of his bonds shall furnish an undertaking that he shall take good care of his son and shall report about any disobedience of his son to the Officer-in-



charge of the concerned Police Station.

The present revision petition is accordingly allowed.

(Ashutosh Kumar, J)

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