

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Revision No.470 of 2018**

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Indra Pratap Singh Golden @ Golden Kumar, aged about 17 years, Son of Sandee Kumar Singh, Resident of Khangaon, P.S.- Chandi, District-Bhojpur through his father Sandeep Kumar Singh, Son of Sri Rambhuvan Singh.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Respondent

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**Appearance :**

For the Petitioner : Mr. Niraj Kumar

For the Respondent : Mr. Sri Surendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      28-05-2018

Heard learned counsel for the petitioner and the State.

This Cr. Revision is against order dated 06-04-2018 passed by the learned Additional Sessions Judge-Ist- cum- Special Judge, (Child Court) Patna in Special (Child) Case No. 19 of 2018 arising out of J.J.B Case No. 616 of 2017 corresponding to Kankarbagh P.S. Case No. 877 of 2017, whereby prayer for bail of the petitioner has been refused.

This Criminal revision has been preferred u/S 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

The petitioner was declared juvenile by the learned Juvenile Justice Board, Patna on 04.12.2017. Thereafter by order dated 01.02.2018 vide Annexure-3, the Juvenile Justice Board assessed the mental capacity of the petitioner to understand the



nature of the offence committed by him and was of the view that for further trial of the petitioner, the matter should go to the Children Court in exercise of power u/S 18 (3) of the J.J.B. Act

The impugned order would reveal that from possession of the petitioner, seven small packets of Brown Sugar were recovered. The petitioner has no criminal antecedent except a case of theft registered against unknown. The Court below abruptly concluded that the petitioner is in company with wrong persons, hence he is unfit to be released on bail.

Since, the finding is based on no material to substantiate the same, hence the impugned order is set aside and the Petitioner named above is directed to be released on bail on furnishing bail bond of Rs. 20,000/- ( Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-Ist- cum- Special Judge, (Child Court)/ Concerned Court, Patna in connection with Special (Child) Case No. 19 of 2018 arising out of J.J.B Case No. 616 of 2017 corresponding to Kankarbagh P.S. Case No. 877 of 2017.

Accordingly this criminal revision is allowed.

**(Birendra Kumar, J)**

A.K.V./-

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