

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.854 of 2018

Arising Out of PS. Case No.-134 Year-2017 Thana- PASRAHA District- Khagaria

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Amit Kumar (minor), S/o Binod Singh under the guardianship Binod Singh (Father), Resident of Village + P.O.- Bandehra, P.S.- Pasraha, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar

For the Respondent/s : Mr. Sri Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-08-2018 The petitioner seeks his release from the remand home where he has been lodged since 06.01.2018 in connection with Pasraha P.S. Case No. 134 of 2017 dated 14.11.2017 which has been instituted for the offences under Sections 341, 307/34 of the Indian Penal Code and under Section 27 of the Arms Act.

The petitioner was declared a juvenile by the Juvenile Justice Board, Khagaria vide order dated 15.02.2018. The age of the petitioner at the relevant time was more than 16 years but less than 18 years.

Learned counsel for the petitioner has submitted that both the courts below viz. the Juvenile Justice Board, Khagaria as well as the learned appellate court have rejected the prayer of the petitioner for his



release from the remand home on the ground that there is a possibility of the petitioner going in bad company in case of his release.

Mr. Brajesh Kumar, learned counsel for the petitioner has submitted that the petitioner has no antecedent and therefore such presumption is without any basis. The social investigation report or the report of the probation officer has not been taken into account and the presumption is only the guess work of both the courts below.

Regard being had to the nature of accusation, the age of the juvenile/petitioner, the period for which he has remained in the remand home and absence of any material to indicate that he shall fall in bad company if released from the remand home, this Court deems it appropriate to release him.

Let the petitioner be released from the remand home on his furnishing bail bonds 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, Khagaria in connection with Pasraha P.S. Case No. 134 of 2017.

One of the bailors shall be the father of the petitioner, who at the time of filing his bonds, shall give an undertaking that he shall take good care of his child



and in case he finds that the juvenile/petitioner is not responding to his homilies, he shall report the matter straightway to the officer-in-charge of the concerned police station.

With the aforesaid observation/direction, the present revision petition is disposed of.

(Ashutosh Kumar, J)

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