

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.650 of 2018

Arising Out of PS. Case No.-59 Year-2017 Thana- SIWAN CITY District- Siwan

Mona Mali @ Monu Mali, son of Babloo Ahmad Mali, through his natural guardian Babloo Ahmad Mali, S/o Mohan Mali, resident of Village- Shukla Toli, P.S.- Siwan Town, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Respondent/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 18-08-2018 The petitioner/juvenile has been made accused in connection with Siwan Town P.S. Case No. 59 of 2017 dated 29.01.2017 instituted for the offences under Sections 399, 402 and 34 of the Indian Penal Code and under Sections 25(1-b)a/26/35 of the Arms Act.

The petitioner was arrested in the aforesaid case on 29.01.2017 and had been sent to jail. Only later, he was declared a juvenile by the Juvenile Justice Board, Siwan and his age was assessed to be below 16 years. As such, he was shifted to remand home thereafter. The prayer of the petitioner for his release from the remand home has been rejected by the Juvenile Justice Board, Siwan as also by the appellate court in Criminal (Juvenile) Appeal No. 57 of 2017.

One loaded pistol is said to have been recovered from the possession of the petitioner.

Learned counsel for the juvenile/petitioner has submitted that the petitioner has only falsely been implicated in this case. There is nothing on record to



suggest that he was in bad company and his release would further encouraging him to associate with criminals. Only after the institution of the present case, the petitioner has been made accused in another case but that also on the basis of confession of some other accused persons.

Considering the period for which the petitioner has remained in remand home and the nature of accusation against him, he is directed to be released from the remand home on 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, Siwan in connection with Siwan Town P.S. Case No. 59 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 off.

(Ashutosh Kumar, J)

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