

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.678 of 2018

Arising Out of PS. Case No.-426 Year-2017 Thana- BELAGANJ District- Gaya

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Sunni Sao. S/o Sanjai Sao, resident of Village- Belhari, Police Station-
Belaganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Respondent/s : Mr. Sri Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 31-07-2018 The petitioner has been declared Juvenile by the Juvenile Justice Board, Gaya and his age has been assessed to be above 16 and less than 18 years. He has been made accused in connection with Belaganj P. S. Case No. 426 of 2017 dated 26.12.2017 instituted for the offences under Sections 363 and 366 (A) of the Indian Penal Code.

The petitioner is said to have abducted the victim for which the aforesaid F.I.R. was lodged by his brother.

The juvenile / petitioner is in remand home since 02.01.2018.

The social investigation report which has been taken note of by the learned Juvenile Justice Board, Gaya as also by the appellate court reveals that the petitioner and the victim girl belong to the same stock of



family. The report further indicates that because of the petitioner being distinctly related to the victim girl as well as the informant, the situation in the house of the informant is explosive and a tense atmosphere prevails. This aforesaid content of the social investigation report has weighed with both the courts in refusing to release the petitioner from remand home.

Mr. Dinbandhu Singh, learned counsel for the petitioner submits that both the courts below did not consider the case of the petitioner in the right perspective. What had to be seen by the courts below was whether the petitioner, in the event of his release from the remand home, would fall in bad company or would repeat the offence or would further try to renew his contact with the victim girl. But the only consideration of the courts below in not releasing the juvenile from remand home is the tension prevailing in the house of the informant.

Considering the social investigation report and the totality of the circumstances including the period for which the petitioner has remained in the remand home, this Court deems it appropriate to release him.

Let the petitioner, above-named, be released from the remand home on his furnishing bonds in the sum of Rs. 10,000 / (ten thousand) with two sureties of the like



amount each to the satisfaction of the Juvenile Justice Board, Gaya in connection with Belaganj P.S. Case No. 426 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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