

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Revision No.436 of 2018**

Arising Out of PS. Case No.-288 Year-2017 Thana- SHIVSAGAR District- Rohtas

Suraj Kumar S/o Vinod Choudhary, R/o Vill.- Amra Talab, P.S.- Sasaram (Muff), District- Rohtas, Under Guradianship of his father Vinod Choudhary , R/o Vill.- Amra Talab, P.S.- Sasaram (Muff), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar Pandey  
For the Respondent/s : Mr. Sri Chaubey Jawahar

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

3      03-08-2018                      The petitioner seeks his release from the remand home where he has been lodged since 12.10.2017 in connection with J.J.B. Case No. 244 of 2017 arising out of Shiv Sagar P.S. Case No. 288 of 2017 for the offences under Section 414 of the Indian Penal Code.

The petitioner was declared a juvenile by the Juvenile Justice Board, Sasaram in J.J.B. Case No. 244 of 2017. The prayer of the petitioner for being released from remand home was rejected by the Juvenile Justice Board, Sasaram as also by the learned 1<sup>st</sup> Additional District & Sessions Judge, Rohtas at Sasaram who vide his order dated 27.02.2018 passed in Cr. Appeal (J) No. 06 of 2018, affirmed the order of the Juvenile Justice Board, Sasaram.



From the perusal of the order impugned, it appears that the courts below did not direct for the release of the petitioner on the ground that the family of the petitioner is stricken with poverty and the financial condition of his father is not such that he can take good care of his son. Under such circumstances, the Juvenile Justice Board, Sasaram as also the appellate court was of the view that there was every possibility of the petitioner falling in bad company and resuming his illegal activities after coming in contacts with other criminals if he were to be released from remand home.

Learned counsel for the petitioner has submitted that in the cases which have been shown against the petitioner, he has been falsely implicated and in one such case, he has been acquitted. It has further been submitted that there was no report before the Juvenile Justice Board, Sasaram or the appellate court to come to the conclusion that there is every possibility of the petitioner falling in bad company in case he is released from remand home.

Regard being had to the nature of accusation against him, the period for which he has remained in jail and the categorical statement of the father of the petitioner that he shall take good care of his son in case he is released from remand home, this Court deems it



appropriate to direct for the release of the petitioner from remand home.

Considering the aforesaid facts, the juvenile/petitioner, above named, is directed to be released from 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, Sasaram, Rohtas in connection with J.J.B. Case No. 244 of 2017 arising out of Shiv Sagar P.S. Case No. 288 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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