

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1041 of 2018

Arising Out of PS. Case No.-118 Year-2015 Thana- MADHEPUR District- Madhubani

Nakul Yadav @ Abhishek Yadav @ Ashutosh Yadav, Son of Ramashish Yadav, resident of Village- Birpur, Police Station- Madhepur, District- Mahdubani, under the guardianship of his cousin namely Arjun Yadav Son of Ram Chandra Yadav, resident of Village- Birpur, Police Station- Madhepur, and District- Madhubani.

... .. Petitioner

Versus

The State of Bihar.

... .. Respondent

Appearance :

For the Petitioner/s	:	Mr. Girish Chandra Jha
For the Respondent/s	:	Mr. Jai Narain Thakur
For the Informant	:	Mr. Hriday Narayan Harshit with Mr. Shiv Nandan Sah

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 14-12-2018 This revision application has been filed against the order dated 4.4.2017 passed by Sessions Judge, Madhubani in Cr.Appeal No. 05 of 2017 by which while dismissing the appeal he has affirmed the order dated 10.1.2017 passed by Juvenile Justice Board (in short 'JJB'), Madhubani rejecting the prayer for bail of the petitioner. It further appears that petitioner has earlier moved this Court in Cr.Rev. No. 766 of 2017 for grant of bail, which was dismissed vide order dated 8.9.2017 on merit. This is the second attempt on behalf of the petitioner for grant of bail.

From allegation it appears that four persons boarded on two motorcycles were chasing the informant and one



motorcycle was being driven by the petitioner and Bhim Yadav, who was pillion rider opened fire, causing bullet injuries to the brother of informant, who fell down and later on succumbed to the injuries.

Submission of learned counsel for the petitioner is that age of petitioner was assessed at 16 and 1/2 years by the JJB and his prayer for bail was rejected by JJB vide order dated 10.1.2017, against which he has preferred Cr.Appeal No. 05 of 2017, which was also dismissed, against which Cr.Rev.No. 766 of 2017 filed by the petitioner was also dismissed by this Court. Further submission of learned counsel for the juvenile-petitioner is that he is in custody since 9.11.2016, i.e., more than two years and till date trial has not been concluded.

Heard learned APP and learned counsel for the informant. They have opposed the prayer for bail of the petitioner.

Having heard both sides and from perusal of the report of learned Chief Judicial Magistrate, Madhubani it appears that conduct of the petitioner was also not found to be good, rather he was torturing the other juveniles in child care home and for that he was shifted to Sefty Home, Sheikhpura.



Considering the entire facts and circumstances, this revision application is dismissed being devoid of merit.

However, considering the fact that juvenile-petitioner is in custody for the last more than two years, learned JJB is directed to expedite the trial by conducting it on regular basis, so that it may be concluded within a period of six months. At the same time, Superintendent, Sefty Home, Sheikhpura and Superintendent of Remand Home, Darbhanga are directed to produce the petitioner in court so that the trial of the petitioner may be concluded within the time prescribed above.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

spal/-

U		T	
---	--	---	--

