

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.49 of 2018

=====
Ranjan Kumar, S/o Asharfi Patel @ Asharfi Raut, R/o
Village- Khada Pandey Ji Ke Tola, P.S.- Nautan, District-
West Champaran, Bihar, represented through his father and
natural Guardian of his father, namely, Asharfi Patel @
Raut.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Adv.

For the State : Mr. Dr. Mrityunjaya Kr. Gautam, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 23-03-2018 The age of the juvenile/petitioner was assessed
at less than 16 years on the date of occurrence. He has
been made accused in connection with Nautan P.S. Case
No. 26 of 2017, dated 01.02.2017, which has been
instituted for the offences punishable under Sections
366(A), 376 and 34 of the Indian Penal Code and Section 4
of the Prevention of Children from Sexual Offences Act,
2012.

It has been submitted on behalf of the petitioner
that though the occurrence allegedly took place on



23.01.2016, but the report regarding the same was lodged on 01.02.2017. That apart, learned counsel for the petitioner has submitted that the victim did not display any sign of her having been subjected to any sexual intercourse. This is contended by learned counsel for the petitioner on the basis of the injury report of the victim girl, who is stated to be 15 years of age.

Learned counsel for the petitioner has assailed the order of the Juvenile Justice Board, Bettiah, West Champaran and that of the Appellate Court in not releasing the juvenile/petitioner on the ground that both the courts below did not consider the facts and circumstances in the right perspective. The report of the District Probationary Officer merely indicated that the juvenile/petitioner could be influenced by his friends and companions. The said report does not contain any reason for coming to such a conclusion and has been blindly relied upon by both the courts below.

The juvenile/petitioner is in remand home since 15.02.2017. He has approached this Court through his father for being released from the remand home.

Regard being had to the aforesaid facts, the juvenile/petitioner, above named, is directed to be released from the remand home on his furnishing bail bond in the



sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Juvenile Justice Board, Bettiah, West Champaran in connection with Nautan P.S. Case No. 26 of 2017.

One of the bailors shall be the father of the juvenile/petitioner, who, at the time of filing of the bonds, shall give an undertaking that he will take good care of the petitioner and in case the juvenile/petitioner avoids paying heed to his advice, he would report the matter forthwith to the Officer-In-Charge of the concerned police station.

This revision petition is disposed of accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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

