

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1193 of 2017

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Tinku Kumar, Son of Dular Singh, resident of Village Babhangawa P.S. & District Lakhisarai under Guardianship of father namely Dular Singh, petitioner has been filed this Application.

.... Petitioner/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Respondent/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 05-01-2018 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner has preferred this revision application under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 assailing order dated 03.11.2017 passed by the Additional District and Sessions Judge-1st, Lakhisarai in Cr. Appeal No. 26 of 2017 thereby he affirmed the order dated 20.09.2017 passed by the Juvenile Justice Board rejecting the prayer for bail of the petitioner, who is an accused in G.R.P.Kiul P.S.Case No. 142 of 2017 registered under Section 394 of I.P.C.

Learned counsel for the petitioner submits that the F.I.R. is against unknown and only on the basis of confessional statement of co-accused, he has been made accused in the present case and neither any incriminating article has been recovered from his possession nor he was put on T.I.P. and he was declared juvenile



by the Board assessing his age 16 ½ years approximately and he has no criminal antecedent.

Having considered the aforesaid facts and circumstances and on perusal of record, it appears that petitioner was declared juvenile by the Board after inquiry and only material transpired against him during investigation is only disclosure of his name by a co-accused in his confessional statement and except that there is no other material. He has no any criminal antecedent so finding of the Board and the Appellate Court that he may go in association of known criminals, is without any basis even there is no discussion in the impugned order regarding social investigation report with respect to conduct of the petitioner. So the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Juvenile Justice Board, Lakhisarai in connection with G.R.P.Kiul P.S.Case No. 142 of 2017 with condition that one of the bailors must be his father, who shall file an undertaking to keep his son in proper care so that he may not indulge in further criminal activity. If he further commits any criminal offence then his bail bond shall be liable to be cancelled in accordance with law.

(Arun Kumar, J)

Sujit/-

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