

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1201 of 2017

=====

Chandradeep Kumar, S/o Chandravan Paswan @ Chandramaman Ram, R/o Village-Jamapur, P.S.-Ziradei, District-Siwan. He is under guardianship of his father Chandravan Paswan @ Chandramaman Ram, R/o Village-Jamapur, P.S.-Ziradei, District-Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Respondent/s : Mr. Sri Iftekhar Mahmood

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

3 09-01-2018 Heard learned counsel for the petitioner as well as learned counsel for the State.

The petitioner has preferred this revision application under Section 102 of the (Juvenile Justice Care of Children and Protection) Act, 2015 against the order dated 16.11.2017 passed by the learned Additional Sessions Judge, Siwan in Criminal Appeal No. 63 of 2017 thereby affirming order dated 23.09.2017 passed by the Juvenile Justice Board, Siwan rejecting the prayer of bail.

Learned counsel for the petitioner submits that the F.I.R. is lodged against the petitioner naming him, but the informant was not in acquaintance with the petitioner from before, as both residents are of different police stations. The alleged offence of chain snatching is dated 07.08.2017 at 11 A.M. in the morning whereas F.I.R. was instituted next day after consultation



with some other persons. No incriminating material has been recovered from the possession of the petitioner and he has no other criminal antecedent, except one case of crop cutting and assault instituted under Sections 324 and 379 of the Indian Penal Code. The social investigation report also reflects that he is not in association with any criminal elements and he was declared juvenile by the Board, but without having any reasonable ground and material, the petitioner's bail was rejected only on the basis of one criminal antecedent of crop cutting in association with the criminals.

This Court finds that the impugned order itself shows that there is no any adverse report submitted in the social investigation report except only one case of crop cutting under Sections 324 and 379 of the Indian Penal Code as a result of land dispute and there is no other criminal antecedent of the petitioner.

In the facts and circumstances of the case, the petitioner, namely, Chandradeep Kumar is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Juvenile Justice Board, Siwan in connection with J. Trial No. 175 of 2017 arising out of G.R.No. 4003 of 2017, Ziradei



P.S.Case No. 62 of 2017 with a condition that one of the bailors must be his father, who shall also file undertaking to keep his son in proper care so that he may not indulge further in criminal activity, otherwise his present bail bond shall be liable to be cancelled in accordance with law.

(Arun Kumar, J)

ajay gupta/-

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

