

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1110 of 2017

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Sachin Sharma @ Sachin Kumar Sharma, son of Sri. Lal Babu Sharma,
under the Guardianship of his father namely Sri. Lal Babu Sharma, son of
Sri. Ram Avatar Sharma, resident of Village-Bathwariya Birti Tola, P.S.-
Bathwariya, District-West Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Balister Mian, son of Late Amarali Mian, resident of Village-
Bathwariya Birti Tola, P.S.-Bathwariya, District-West Champaran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Respondent/s : Mr. Sri Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 15-02-2018 The petitioner, who is a juvenile has approached

this Court through his father for his release from remand home
where he has been lodged in connection with Chautarwa
(Bathwariya) P.S. Case No. 244 of 2016 dated 03.10.2016,
instituted for the offences under Sections 302, 201, 120(B) of the
Indian Penal Code.

The petitioner/juvenile is in remand home since
27.05.2017.

The age of the petitioner/juvenile was assessed
by the Juvenile Justice Board as slightly more than thirteen years
on the date of occurrence.

The petitioner has not been named in the F.I.R



and his name has transpired only in the confession of the co-accused. Some of the co-accused persons of this case have already been granted bail by different Courts.

Learned counsel for the petitioner has submitted that there is nothing in the Social Investigation Report which would reveal that in case the petitioner is released from the remand home, he is likely to get into the association of known criminals and that his release would expose him to moral, physical and psychological danger which would not be good for his well-being. The father of the petitioner is ready to undertake that he shall provide good support system to his son and is also agreeable to the proposal that if the petitioner refuses or disobeys his advice, he shall report the matter immediately to the Officer-in-charge of the concerned Police Station.

Considering the nature of accusation, the Social Investigation Report and the fact that petitioner/juvenile has remained in remand home since 27.05.2017, the order dated 11.07.2017 passed by the Juvenile Justice Board, West Champaran at Bettiah in J.J.B. Case No. 579 of 2017, arising out of Chautarwa (Bathwariya) P.S. Case No. 244 of 2016, rejecting the prayer of the petitioner/juvenile for being released from juvenile home as well as the order dated 18.09.2017 passed by the learned Sessions



Judge, West Champaran at Bettiah in Cr. Appeal No. 34 of 2017, affirming the aforesaid order, are set aside.

The petitioner/juvenile, above named, is directed to be released on his furnishing bond in the sum of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Principal Judge, Juvenile Justice Board, West Champaran, Bettiah in connection with J.J.B. Case No. 579 of 2017, arising out of Chautarwa (Bathwaria) P.S. Case No. 244 of 2016.

One of the bailors shall be the father of the petitioner, who at the time of filing of his bonds shall furnish an undertaking that he shall take good care of his son and shall report about any disobedience of his son to the Officer-in-charge of the concerned Police Station.

The present revision petition is accordingly allowed.

(Ashutosh Kumar, J)

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