

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1228 of 2017

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Munna Kumar, Son of Ramesh Das @ Ram Bahadur Das, Resident of Village- Kharhat, P.S.- Sahebpur Kamal, District- Begusarai, under guardian ship and representative of his mother namely Usha Devi W/o Ramesh Das @ Ram Bahadur Das, Resident of Village- Kharhat, P.S.- Sahebpur Kamal, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan

For the Respondent/s : Mr. Sri Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 06-02-2018 A supplementary affidavit has been filed on behalf of the petitioner. Let it be kept on record.

The petitioner who is a juvenile has approached this Court through his mother seeking his release from the remand home where he has been lodged from 20.08.2017 in connection with Sahebganj Kamal P.S. Case No. 224 of 2017 dated 19.08.2017 instituted for the offence under Section 25(1-B)a, 26 of the Arms Act. From the possession of the juvenile/petitioner, a country made pistol and one cartridge of 9 mm is said to have been recovered.

Learned counsel for the petitioner has submitted that the juvenile/petitioner was declared a juvenile on 10.10.2017 and



his age was assessed as less than 18 years as on the date of the occurrence. Learned counsel for the petitioner has further submitted that from the social investigation report also, it would appear that because of the petitioner not being taken care of properly, he went into the bad company. However, there is nothing on record which would suggest that now if he is released from remand home, he would again fall in the company of the criminals which would not be good for him and he would further be exposed to the criminal ways of life. The mother of the juvenile/petitioner is ready to undertake that all proper care shall be taken to prevent the juvenile/petitioner from joining bad company.

Regard being had to the nature of accusation and the fact that mother has agreed to take care of the juvenile/petitioner as also that he has remained in remand home since 20.08.2017, the petitioner/juvenile is directed to be released from remand home on his furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Principal Member, Juvenile Justice Board, Begusarai in connection with Sahebganj Kamal P.S. Case No. 224 of 2017 corresponding to G.R. No. 2980 of 2017 and Cr. (Juvenile) Appeal No. 97 of 2017.

One of the bailors shall be the mother of the



juvenile/petitioner who shall also furnish an undertaking at the time of filing of the bail bonds that in case she finds that the juvenile/petitioner has again fallen in bad company, she would report the matter to the officer-in-charge of the concerned police station and any breach of the aforesaid undertaking would entail criminal prosecution against the mother as well.

The revision petition is allowed.

(Ashutosh Kumar, J)

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