

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1214 of 2017

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Anil Kumar Mehta @ Anil Mehta, son of Bhimsen Mehta,
resident of Village- Chilhki More, Amba, P.S.- Kutumba,
District- Aurangabad under the guardianship of his father.

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Respondent/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 23-04-2018 The age of the juvenile/petitioner was assessed at more than 16 years on the date of the occurrence. He has been made accused in the present case viz. Nabinagar P.S. Case No. 53 of 2016 which has been instituted for the offences under Sections 394, 302 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is in the remand home since 03.09.2016.

A perusal of the records reveal that the case of the juvenile/petitioner was assessed under Section 15 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and the learned Juvenile Justice Board was of the view that the juvenile/petitioner ought to be tried as an adult. Hence, his case was transferred to the Child Court.



The Child Court, on going through the facts of the case came to the conclusion that because of the criminal antecedents of the juvenile/petitioner, it would not be safe to release him from the remand home during the pendency of the case/trial.

The petitioner has been made accused in three other cases, apart from the present one and two out of such cases are under Section 302 of the Indian Penal Code.

Though, learned counsel for the petitioner has submitted that in all these cases, the petitioner has been made accused on the basis of suspicion only but considering the propensity of the juvenile/petitioner for being involved in such kind of serious cases, this Court does not feel persuaded to interfere with the order of the Child Court in refusing to release the petitioner from the remand home.

For the aforesaid reasons, the present revision petition fails and it is dismissed.

(Ashutosh Kumar, J)

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