

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.134 of 2018

Arising Out of PS. Case No.-51 Year-2015 Thana- PIPRAHI District- Sheohar

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Pawan Kumar @ Pawan Tiwari @ Pawan Kumar Tiwari, under the natural guardianship of Father Ram Narayan Tiwari, Resident of Village- Mesaudha, P.O. and P.S. Piprahi, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Madhubala Verma

For the Respondent/s : Mr. SRI LALAN KUMAR

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 27-02-2018 The juvenile/petitioner has sought his release from the remand home where he has been lodged since 15.06.2015 in connection with Piprahi P.S. Case No. 51 of 2015 instituted for the offence under Sections 25(1-B)A/26 of the Arms Act.

It appears from the records that the petitioner/juvenile was found in possession of a black bag by the villagers which contained a country made pistol with a live cartridge inside its chamber and one big size knife. It further appears from the records that the juvenile/petitioner was arrested/apprehended by the villagers who had nabbed him while he had, on the instigation of his parents, fired from his weapon leading to death of his neighbour, Pramod Upadhyaya. It was at that time that on the sound of firing, the villagers had collected and had nabbed



the petitioner. With respect to death of his neighbour as referred above, another case vide Piprahi P.S. Case No. 50 of 2015 had been instituted under Section 302 and other Sections of the Indian Penal Code in which the petitioner was named as the assailant, but he has been released from the remand home on the ground that from the social investigation report nothing came out in a concrete manner that the release of the juvenile/petitioner would lead to his getting involved in other crimes or getting in company of hardened/veteran criminals.

There is yet another case apart from the aforesaid two cases, against the petitioner but that case is under Sections 323, 324, 341, 504 and 379 of the Indian Penal Code.

Regard being had to the fact that in the main case relating to murder of the neighbour, the juvenile/petitioner has been released from the remand home as well as the period for which the juvenile/petitioner has remained in remand home i.e. from 15.06.2015 and other attendant circumstances viz. that there is nothing on record to suggest that he, on his being released from the remand home, is likely to fall in bad company, this Court is inclined to direct for the release of the petitioner from the remand home.

Considering the aforesaid facts, the petitioner/juvenile



above named is directed to be released from the remand home, subject to his furnishing bond of a sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Juvenile Justice Board, Sheohar in connection with Piprahi P.S. Case No. 51 of 2015.

The revision petition is allowed.

(Ashutosh Kumar, J)

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