

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.989 of 2017

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Ranjeet Kumar, Son of Bachchan Bind, Residents of Village- Korma, P.S.- Ghosi, District- Jehanabad under the guardianship of Bachchan Bind (father of the petitioner and guardian), Son of Chamru Bind, Residents of Village- Korma, P.S.- Ghosi, District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Respondent/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 29-01-2018

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 Ghosi P.S. Case No. 319 of 2016 dated 08.11.2016, instituted for the offence under Section 395 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that in the aforementioned case, the F.I.R was registered against unknown. After sometime and during the course of investigation, the brother of the petitioner/juvenile viz. Ajit Kumar was arrested on suspicion. At the time of his arrest, a raid was conducted in the house and from the house in which the petitioner/juvenile was also present, a rifle was recovered. Two separate cases were lodged; one under Section 395 of the Indian Penal Code and other under



the provisions of the Arms Act. The petitioner/juvenile was arrested and remanded in both the cases. In the case concerning the Arms Act, the petitioner/juvenile has been released from the juvenile home.

The age of the petitioner has been assessed by the Juvenile Justice Board as less than seventeen years at the time of the occurrence.

There is nothing on record to suggest that if the petitioner/juvenile 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 and thereby the ends of justice would be defeated.

Considering the aforesaid submissions and the finding that the petitioner/juvenile has been in remand home since 08.11.2016 in the Arms Act case, in which case he has been released on bail and thereafter from 17.03.2017 in the present case, the order dated 16.08.2017 passed by the Juvenile Justice Board, Jehanabad as well as the order dated 06.09.2017 passed by the learned 1st Additional Sessions Judge, Jehanabad in Cr. Appeal No. 65 of 2017, Tr. No. 34 of 2017, whereby the prayer for being released from the remand home has been rejected, 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 learned District Juvenile Justice Board, Jehanabad in connection with G.R. No. 1752 of 2016/ER No. 253(J)/2017, arising out of Ghosi P.S. Case No. 319 of 2016.

The present revision petition is accordingly allowed.

(Ashutosh Kumar, J)

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