

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.633 of 2018

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Munna Kumar @ Santosh Kumar S/O Amarendra Kumar alias Kari Yadav
R/O village Bhelva, P.S. & District Madhepura Ist guardian only Amrendra
Kumar @ Kari Yadav.

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Respondent/s : Mr. Sri Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 24-09-2018 This revision application has been preferred against the order dated 22.3.2018 passed in the learned special Judge, Children Act, Madhepura in Children Case No.02 of 2018 airing out of Sessions Madhepura P.S.Case no.570 of 2017, by which he has rejected the prayer for bail of the petitioner.

Allegation against the petitioner in short is that the petitioner alongwith some other accused persons armed with deadly weapons came and assaulted with *Butt* portion of three-not at the shoulder of the informant and at the head of the informant's father, due to which he sustained injuries and the father of the informant died.

Learned counsel for the petitioner has assailed the order on the ground that the age of the petitioner was assessed as 16 yeas, 06 months and 16 days and he is juvenile. He is in custody since 12.12.2017 and there is no investigation report against him but spite of that his prayer for bail has been rejected.



Heard learned APP and the learned counsel for the informant. They have opposed the prayer for bail stating that the children court has come to the conclusion that the alleged offence comes under the category of heinous nature and his age has been assessed as 16 years, 06 months and 16 days on the date of the occurrence and if he is released on bail there is possibility to tamper with the victim and his family members and there is chance of repeating same offence.

Having heard both sides and in view of the facts and circumstances and considering the fact that the children court has come to the conclusion that there is chance of tampering with the evidence and petitioner being coming into contact with the criminals, as such I am not inclined to grant privilege of bail to the petitioner, as such this revision application is dismissed, however, since the petitioner is in custody and it has been informed, as such the learned children court is directed to expedite the trial and try to conclude it within a period of seven months, and if possible to conduct it on regular basis and if it is not concluded within seven months, the petitioner is at liberty to move before the learned children court to grant him bail, which will be considered on the basis of social investigation report and period of custody.

(Vinod Kumar Sinha, J)

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