

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.952 of 2018

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1. Karan Yadav, Son of Sadhu Yadav @ Ajay Kumar, Resident of Village-
Hakam P.S.- Mahadeva (O.P. Siwan Muffasil), District- Siwan Under
guardianship of his father Sadhu Yadav @ Ajay Kumar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra

For the Respondent/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-09-2018 Petitioner – revisionist has preferred this appeal
against the judgment dated 17.07.2018 passed by the 1st
Additional Sessions Judge – cum – Special Judge, Siwan in
Criminal Appeal No. 302/2018 (Arising out of Juvenile Trial No.
237/17) for the offence punishable under Section 302/34 of the
IPC and Section 27 of the Arms Act, by which, he has dismissed
the appeal for grant of bail to the petitioner – revisionist and
confirmed the order dated 25.04.2018 passed by Principal
Member, Juvenile Justice Board, Siwan in J. Tr. No. 237/17.

Petitioner was declared juvenile as his age was
assessed as 17 years five months 26 days and allegation against
the petitioner is that he along with one Robin Mahto called brother
of the informant and the petitioner alleged to have fired two



rounds on temple region and co-accused Robin Mahto also fired on him, which resulted in his death.

The learned counsel for the revisionist – petitioner has assailed the judgment on the ground that the petitioner is juvenile and he has been in custody since 20.12.2017 and he is ready to undertake that he will not be involved in future in any criminal act and so far allegation part is concerned, he has been made accused only on the basis of suspicion.

Learned counsel appearing on behalf State and informant opposed the revision application on the ground that there is specific and direct allegation against the petitioner that he fired twice on the brother of informant, causing his death and the report of Probation Officer under the Act also shows that the release of the petitioner was likely to expose him to moral, physical or psychological danger and further the petitioner earlier has also tried to escape from the observation house.

Considering the facts and circumstances of the case and also considering the fact that the allegation is very heinous as well as in view of the report of Probation Officer, I am not inclined to interfere with the judgment dated 17.07.2018 passed by the 1st Additional Sessions Judge – cum – Special Judge, Siwan in Criminal Appeal No. 302/2018 (Arising out of Juvenile Trial No.



237/17) and the order of Principal Member, Juvenile Justice Board, Siwan.

This revision application is, accordingly, dismissed.

However, since the petitioner has been in custody, trial court is directed to expedite the trial.

(Vinod Kumar Sinha, J)

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