

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.900 of 2018

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Sintoo Kumar, Son of Ramashish Sahni, Resident of Village
- Pakthaul, P.S. - Teghra, District - Begusarai, through his
father and natural guardian Ramashish Sahni, Son of Ashok
Sahni, Resident of Village - Pakthaul, P.S. Teghra, District -
Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Adv.

For the State : Mr. Narendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 21-08-2018 The petitioner was adjudged a juvenile by order
dated 18.11.2017 by the Juvenile Justice Board, Begusarai
and his age was assessed to be slightly more than 16
years on the date of the occurrence.

The juvenile/petitioner has approached this
Court through his father for his release from the Remand
Home where he has been lodged since 06.12.2017 in
connection with Phulwaria P.S. Case No. 111 of 2017,
instituted for the offence under Sections 395 and 397 of



the Indian Penal Code.

The prayer of the petitioner for being released from the Remand Home has been rejected by the Juvenile Justice Board, Begusarai *vide* order dated 10.04.2018 as also by the Appellate Court, *i.e.*, the Court of learned District and Sessions Judge, Begusarai in Cr. Appeal No. 29 of 2018.

It appears that a Bolero vehicle with bank money was looted on gun point by six miscreants. The juvenile/petitioner has not been named in the First Information Report and his complicity in the occurrence surfaced only on the confession of a co-accused.

The perusal of the order passed by the Juvenile Justice Board, Begusarai reflects that the Social Investigation Report only doubts that the petitioner might have been present along with the other accused persons in committing the crime. However, no ground has been given in the aforesaid Social Investigation Report or by the learned Courts below for holding that there is possibility of the juvenile/petitioner falling in bad company in case he is released from the Remand Home.

Regard being had to the nature of accusation, the period for which the juvenile/petitioner has remained in the Remand Home and also taking into account that the



father of the petitioner is ready to undertake about the well being of his child, this Court deems it appropriate to direct for his release from the Remand Home. While saying so, the Court has also take a note of the fact that there is only one case pending against the petitioner *vide* Phulwaria P.S. Case No. 114 of 2017, which has been instituted for the offences under Sections 25(1-B)A, 26 and 35 of the Arms Act, in which, he is on bail and that other accused persons of this case have been released on bail.

The petitioner/juvenile is directed to be released from the Remand Home on his furnishing bail bond in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Juvenile Justice Board, Begusarai in connection with Phulwaria P.S. Case No. 111 of 2017.

One of the bailors shall be the father of the juvenile/petitioner and at the time of the filing of the bonds, he shall give an undertaking that he shall take good care of his son and in case the juvenile/petitioner does not pay heed to his advice, he would report such matter forthwith to the Officer-In-Charge of the concerned police station.



With the aforesaid observation and direction,
the present revision petition is allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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