

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.414 of 2018

Arising Out of PS. Case No.-167 Year-2013 Thana- NARDIGANJ District- Nawada

Sandesh Manjhi son of Suryadev Manjhi @ Dev Suraj Manjhi under legal guardianship of Surajdev Manjhi @ Dev Suraj Manjhi (father of petitioner) son of Late Rameshwar Manjhi resident of village - Rustampur, P.S. - Muffasil, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajeev Nayan

For the Respondent/s : Mr. Sri Shailendra Kumar -1

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 26-07-2018 Heard learned counsel for the petitioner and the State.

The Petitioner, who has been declared a juvenile on the date of the occurrence, has been lodged in the remand home in connection with Nardiganj P. S. Case No. 167 of 2013 dated 17.12.2013, which has been instituted for the offences under Section 376 of the Indian Penal Code.

The petitioner is said to have dragged an eleven years' old girl by the side of the hillock and committed rape on her.

Though the learned counsel for the petitioner has made efforts to show from the 164 statement as also from the F.I.R. that the victim girl has not been



consistent in her statements but considering the overall circumstances as also the nature of offence, this Court is of the view that this petitioner is required to be kept under care and protection of the remand home.

The submission of the learned counsel for the petitioner that the juvenile has remained in the remand home for about two years also does not convince this Court for directing for his release.

Considering the overall circumstances of the case, no interference is required with the appellate order dated 9th of November, 2017 passed in Cr. Appeal No. 19 of 2017 by the learned 1st Additional District & Sessions Judge / the Child Court.

As such, the present petition is dismissed.

(Ashutosh Kumar, J)

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