

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.112 of 2018

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Rudra Raj, S/o Ajay Kumar @ Ashok Prasad @ Ashok Kumar Prasad, S/o Late Ram Sagar Prasad, R/o Village- Rasulpur, P.S.- Rusulpur, District- Saran at Chapra, Under guardianship of Ajay Kumar @ Ashok Prasad @ Ashok Kumar Prasad, father of the petitioner and guardian.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Binod Singh, Adv.

For the State : Mrs. Rita Verma, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 27-02-2018 The petitioner was adjudged a juvenile by order dated 18.11.2017 by the Juvenile Justice Board, Chapra and his age was assessed to be 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 08.08.2017 in connection with Children Court Case No. 5 of 2017, arising out of Rasulpur P.S. Case No. 72 of 2017, instituted for the offence under Section 302 of the Indian Penal Code.



The petitioner is alleged to have given a dagger blow to the deceased leading to his death.

Learned counsel for the petitioner has submitted that the *postmortem* report is not in consonance with the allegations levelled against the juvenile/petitioner.

That apart, it has been shown to this Court that the learned Children's Court, even though took into account that the social investigation report of the petitioner was found to be good, but it did not consider it expedient to release the petitioner from the remand home. Though, while the petitioner was in jail prior to his being sent to the remand home, he had made unsuccessful attempts at running away from the jail, but now he has remained in the remand home for about more than 4 months. The petitioner/juvenile does not have any criminal antecedent.

Regard being had to the aforesaid facts, 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 concerned learned Children Court, namely, 1st Additional Sessions Judge, Saran at Chapra in connection with Children Court Case No. 5 of 2017, arising out of Rasulpur P.S. Case No. 72 of 2017.

One of the bailors shall be the father of the



petitioner/juvenile 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 petitioner/juvenile 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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