

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.290 of 2018

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Sonu Kumar @ Sonu Kumar Singh @ Sonu Singh S/o Sri
Ajay Kumar Singh Resident of Ramanand Apartment, P.S. -
Sri Krishnapuri, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Respondent/s : Mr. Sri Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 13-04-2018 The juvenile/petitioner seeks his release from the remand home, where he has been lodged since 17.10.2017 in connection with Shastri Nagar P.S. Case No. 634 of 2017 dated 16.10.2017, instituted for the offences under Sections 399, 402 of the Indian Penal Code and Section 25(1-b) a, 26, 35 of the Arms Act.

The age of the juvenile/petitioner was assessed as more than 17 years on the date of the occurrence.

However, from the order passed by the learned Juvenile Justice Board as also learned Appellate Court dated 26.02.2018 passed in Special (Child) Case No. 15 of 2018, it



appears that without any reason, both the Courts have come to the conclusion that if the petitioner would be released from the remand home, there would be strong chances of his falling in bad company again. There is no basis for coming to such a conclusion. The social investigation report has also not been adverted to by both the Courts.

Considering the aforesaid facts and looking at the nature of accusation against the juvenile/petitioner, the order passed by the Juvenile Justice Board as also the learned Appellate Court dated 26.02.2018 passed by learned Additional District & Sessions Judge-cum-Special Judge, POCSO, Patna in Special (Child) Case No. 15 of 2018, are set aside.

The petitioner/juvenile, above named, is directed to be released on his furnishing bond in the sum of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge -I-cum - Special Judge, POCSO, Patna in connection with Shastri Nagar P.S. Case No. 634 of 2017, G.R. No. 6999 of 2017.

One of the bailors shall be the father of the petitioner, who at the time of filing of his bonds shall furnish an undertaking that he shall take good care of his son and shall report about any disobedience of his son to the Officer-in-



charge of the concerned Police Station.

The present revision petition is accordingly allowed.

(Ashutosh Kumar, J)

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