

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.419 of 2018

Arising Out of PS. Case No.-228 Year-2017 Thana- BENIPATTI District- Madhubani

Rahul Kumar Patwa @ Amit Kumar through his natural guardian i.e. mother namely shanti Devi @ Nirmala Devi, Wife of Late Shambhu Tiwari, Both resident of Village- Pitaunjiya, P.S.- Hathauri, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : M/s Ajay Kumar Thakur, Nilesh Kumar & Shashank Shekhar, Advs.

For the Respondent/s : Mr. Bisheshwar Ram, APP 18

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-05-2018 Heard learned counsel for the petitioner and the State.

This revision application has been filed under Section 53 of the Juvenile Justice (Care and Protection of Children) Act, 2000, against the judgment and order, dated 26.02.2018, passed by the Sessions Judge, Madhubani, in Criminal Appeal No. 4 of 2018 by which the Sessions Judge dismissed the appeal preferred by the petitioner against the order, dated 19.12.2017, passed by the Juvenile Justice Board, Madhubani, in Benipatti P.S. Case No. 228 of 2017 by which the Juvenile Justice Board rejected the prayer for bail of the petitioner.

The informant has alleged in the written report that on 11.10.2017 he withdrew Rs. 23,000/- from Punjab National Bank and kept the same in plastic bag and at 03.00 P.M. came to



the State Bank of India for getting account linked with Adhar number and when the informant was at counter no. 1 of the State Bank of India and was giving the papers, in the meanwhile, a boy came on his backside and cut his bag with blade as as result of which the papers and rupees fell down and the boy picked up the amount. The informant turned quickly and after seeing that his bag has a cut mark by blade and saw the boy running away, the informant raised alarm and caught the boy. It is also alleged that the cash amounting to Rs.23,000/- and blade were recovered from the possession of the petitioner. The police was informed, who came and prepared the seizure list.

The appeal preferred by the petitioner was dismissed by the Court below.

The petitioner is said to be in custody since 12.10.2017. He has clean antecedent. Therefore, the impugned order passed by the Sessions Judge, Madhbubani, is set aside and the Criminal Revision is allowed.

Considering the entire facts and circumstances, aforesaid, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Juvenile



Justice Board, Madhubani (Benipatti P.S. Case No. 228 of 2017)
to the satisfaction of the Juvenile Justice Board, Madhubani,
subject to the conditions that both the bailors shall be close
relatives of the petitioner and one of them would be the mother
of the petitioner.

(Sanjay Priya, J)

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