

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Revision No.658 of 2018**

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Babloo Kumar son of Heera Lal Chaudhary, resident of  
Village- Pakhtoul, P.S.- Teghra, District- Begusarai.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Rajendra Thakur, Son of Late Kapildeo Thakur, resident  
of Village- Basantpur Patti, P.S.- Saraiya, District-  
Muzaffarpur, At present posted on the post of S.W.O. at  
United Bank of India, Aatapur Branch.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar

For the Respondent/s : Mr. Sri Suresh Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

4    06-08-2018            The age of the juvenile/petitioner has been assessed  
by the Juvenile Justice Board, Begusarai as seventeen years,  
eight months and twenty four days. He has been made  
accused in connection with Fulwaria P.S. Case No. 111 of  
2017 dated 25.09.2017 instituted for the offences under  
Sections 395/397 of the Indian Penal Code.

The prayer of the juvenile/petitioner for being  
released from the remand home has been rejected by the  
learned Juvenile Justice Board as also by the Appellate Court  
viz. learned District & Sessions Judge, Begusarai in Cr.  
Appeal No. 35 of 2018. The F.I.R in this case was registered  
against six unknown miscreants.



The learned counsel for the juvenile/petitioner has submitted that petitioner has not been named in the F.I.R and nothing has been recovered from his possession as well. His name has surfaced only on the confession of a co-accused. On the aforesaid ground, it has been prayed that the juvenile/petitioner be directed to be released from the remand home where he has been lodged since 06.12.2017.

The learned counsel for the juvenile/petitioner has further submitted that other accused persons who have been apprehended in this case and from whom recovery has been made, have been granted bail by the regular Court. It has also been submitted that there is no likelihood of his sliding in bad company in case he is released from the remand home. The elder brother of the juvenile/petitioner, who is a major, is ready to give an undertaking that he shall take good care of his younger brother.

From the perusal of the records, it appears that though the juvenile/petitioner has been made accused in the present case but only on the confession of the co-accused. There is nothing in the social investigation report and nothing on record which can justify the inference of the learned Appellate Court.

Regard being had to the nature of accusation, the age of the juvenile/petitioner and the period for which he has



remained in the remand home, this Court deems it appropriate to direct for his release.

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 Juvenile Justice Board, Begusarai in connection with Fulwariya P.S. Case No. 111 of 2017.

One of the bailors shall be the elder brother of the petitioner, who at the time of filing of his bonds shall furnish an undertaking that he shall take good care of his younger brother and shall report about any disobedience of his brother to the Officer-in-charge of the concerned Police Station.

The present revision petition is accordingly allowed.

**(Ashutosh Kumar, J)**

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