

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.373 of 2019

Arising Out of PS. Case No.-108 Year-2018 Thana- JANTA BAZAR District- Saran

PUSHKAR PANDEY, (Male aged about 16 years), Son of Sashi Shekhar Pandey Under the guardianship of his father namely Sashi Shekhar Pandey, Male, aged about 56 years, Son of Late Chandeshwar Pandey, Resident of Village- Basahi, Chak Hafiz, P.S.- Janta Bazar, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.
For the Respondent/s : Mr.Satyavrat Verma (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 03-04-2019 Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the order dated 03.01.2019 passed by learned 1st Additional Sessions Judge, Saran at Chapra, in Criminal (Juvenile) Appeal No. 90 of 2018 by which appeal of the petitioner for grant of bail against the order dated 26.11.2018 passed by learned Juvenile Justice Board, Saran in connection with J.J.B. Case No. 1623 of 2018 arising out of Janta Bazar P.S. Case No. 108 of 2018 under section 12 of the Juvenile Justice (Care and Protection of Children) Act has been dismissed.

Informant has alleged that he received a secret information and raided the house of the petitioner. On seeing the



police party petitioner tried to flee away but he was apprehended by the police and on search one country made pistol and two live cartridges were recovered from the possession of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. Petitioner has no criminal antecedent. Petitioner has been declared as Juvenile by the Juvenile Justice Board, Chapra. The age of the petitioner is below 18 years and petitioner has been forwarded to the Remand Home.

According to the learned counsel for the petitioner, no fruitful purpose will be served if the petitioner is allowed to remain in the Remand Home. It has further been submitted on behalf of petitioner that from the record it does not appear that if the petitioner is released, he will be exposed to mental, physical and psychological danger or is likely to bring him into association with any known criminal.

Considering the above, this revision application is allowed. The order dated 03.01.2019 passed by learned 1st Additional Sessions Judge, Chapra, in Criminal (Juvenile) Appeal No. 90 of 2018 and order dated 26.11.2018 passed by learned Juvenile Justice Board, Saran, in connection with J.J.B.



Case No. 1623 of 2018 arising out of Janta Bazar P.S. Case No. 108 of 2018 are set aside.

The petitioner, above named, is directed to be released from the Remand Home on his furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of learned Juvenile Justice Board, Chapra in connection with Janta Bazar P.S. Case No. 108 of 2018 corresponding to J.J.B. Case No. 1623 of 2018, subject to condition that :

One of the bailors of the petitioner shall be his father/mother who at the time of filing of the bonds, shall also give an undertaking that he/she will take good care of the petitioner and in case petitioner does not act as per his/her advice, he/she shall report the matter to the officer-in-charge of the concerned police station and further during period of bail, the petitioner will be under the supervision of concerned Probation Officer.

This revision application stands allowed.

(S. Kumar, J)

Rajiv/-

U		T	
---	--	---	--

