

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.660 of 2019

Arising Out of PS. Case No.-37 Year-2018 Thana- JANDAHA District- Vaishali

AMAN KUMAR @ AMAN RAJ (Male), aged about 18 years, Son of Vinay Kumar Singh, Resident of Village-Soharhi, P.S.- Jandaha, Dist.- Vaishali under the guardianship of his father Vinay Kumar Singh.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Manish Chandra Gandhi, Advocate.
For the Informant	:	Mr. Mahendra Thakur, Advocate.
For the State	:	Mr.Anand Mohan Prasad Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-09-2019 Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel for the State.

This Criminal Revision has been preferred against the order dated 06.02.2019, passed by learned Juvenile Justice Board, Vaishali at Hajipur in G.R. No. 907 of 2018, T.R. No. 07 of 2019, arising out of Jandaha P.S. Case No. 37 of 2018, whereby and whereunder learned Juvenile Justice Board, Vaishali at Hajipur has dismissed the bail application of the petitioner and also the order dated 12.04.2019, passed by learned Additional Sessions Judge-1st,-cum-Special Judge, Vaishali at Hajipur in Cr. Appeal No. 19 of 2019, whereby the order dated 06.02.2019, in G.R. No. 907 of 2018, T.R. No. 07 of 2019, arising out of Jandaha P.S. Case No. 37 of 2018 registered



under Sections 302/34 of the IPC and 27 of the Arms Act, passed by learned Juvenile Justice Board, Vaishali at Hajipur has been affirmed.

The prosecution story, in brief, is that on 23.02.2018 at about 8.20 P.M., the informant and his son, namely, Anil Thakur, were at “Sunil Messers Centre” shop situated at Guru Ji Chowk (Jandaha). As soon as the son of the informant was about to shut down their shop, three unknown persons fired indiscriminately upon his son, as a result of which, he died. All miscreants had come on Motorcycle and after killing this son, they fled away from the same Motorcycle. It is further alleged that due to some apprehension, his another son, namely, Sunil Kumar Thakur had given an application to the Administration. Thereafter, one security guard was provided to him but the said security guard was taken back during the Election. Even after, his son, Sunil Kumar Thakur had given application time to time for providing security guard as he and his family members were being threatened by anti-social elements, but no security guard was provided to them.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 26.11.2018. Charge sheet has been submitted in the present



case. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has come on the basis of confessional statement of co-accused Noor Hussain. There is no eye witness to the alleged occurrence.

On behalf of the State, it has been submitted that the petitioner is not named in the F.I.R. The petitioner has got also one criminal antecedent.

Further the report of the Probation Officer reveals that the petitioner has friendship with some criminals who have criminal antecedent. The petitioner is also an accused in Mahnar P.S. Case No. 191 of 2017 registered under Sections 307, 504 of the IPC and 25(1-b)a, 26 and 35 of the Arms Act. He was already incarcerated in sub jail at Hajipur in that case.

Considering the aforesaid facts and circumstances, I find no infirmity in the order dated 06.02.2019, passed by learned Juvenile Justice Board, Vaishali at Hajipur in G.R. No. 907 of 2018, T.R. No. 07 of 2019, arising out of Jandaha P.S. Case No. 37 of 2018 as well as in the order dated 12.04.2019 passed by learned Additional Sessions Judge-1st-cum-Special Judge, Vaishali at Hajipur in Cr. Appeal No. 19 of 2019.

Accordingly, the present Criminal Revision



application stands dismissed.

The court below is directed to expedite the trial of the
petitioner and conclude the same at the earliest.

(Sudhir Singh, J)

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