

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No 987 of 2018

Arising Out of PS. Case No.-580 Year-2017 Thana- SIWAN MUFFASIL District- Siwan

Robin Mahto @ Robin Kumar S/o Hiralal Prasad, R/o Vill.- Rampur , P.S.-
Mufassil, District- Siwan (Under the Guardianship of his mother namely
Paramila Devi, W/o Hiralal Prasad)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Varma

For the Respondent/s : Mr.Pawan Kumar Chaurasiya

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 06-12-2019

Petitioner-revisionist has preferred this Revision Application against the judgment dated 17.07.2018 passed by the Additional Sessions Judge I -cum- Special Judge, Siwan in Criminal Appeal No 43 of 2018 (Arising out of Juvenile Trial No 237 of 2017) for the offence punishable under Sections 302/34 of Indian Penal Code and Section 27 of the Arms Act, by which he has dismissed the appeal for grant of bail to the petitioner-revisionist and confirmed the order dated 25.04.2018 passed by Principal Member, Juvenile Justice Board, Siwan in Juvenile Trial No 237 of 2017.



2 Petitioner was declared juvenile as his age was assessed as 17 years, 8 months and 23 days and allegation against the petitioner is that he along with one Karan Yadav called brother of the informant and the petitioner alleged to have fired on him along with Karan Yadav which resulted in his death.

3 The learned counsel for the revisionist – petitioner has assailed the judgment on the ground that the petitioner is juvenile and he has been in custody since 12.12.2017 and he is ready to undertake that he will not be involved in future in any criminal act and so far allegation part is concerned, he has been made accused only on the basis of suspicion.

4 Learned counsel appearing on behalf of State and informant opposed the revision application on the ground that there is specific and direct allegation against the petitioner that he fired on the brother of informant causing his death and the report of Probation Officer under the Act also shows that the release of the petitioner was likely to expose him to moral, physical or psychological danger and further the petitioner earlier has also tried to escape from the Observation Home.

5 Considering the facts and circumstances of the case and also considering the fact that the allegation is very heinous as well as in view of the report of Probation Officer, I am not inclined



to interfere with the judgment dated 17.07.2018 passed by the Additional Sessions Judge I -cum- Special Judge, Siwan in Criminal Appeal No 43 of 2018 (Arising out of Juvenile Trial No 237 of 2017) and the order of Principal Member, Juvenile Justice Board, Siwan.

6 This Revision Application is, accordingly, dismissed.

7 However, since the petitioner has been in custody, trial Court is directed to expedite the trial.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.12.2019
Transmission Date	06.12.2019

