

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.45 of 2019**

Arising Out of PS. Case No.-421 Year-2017 Thana- NAANPUR District- Sitamarhi

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Dabloo Kumar Son of Indal Rai Resident of Village - Bahurar, P.S.- Nanpur,
District - Sitamarhi under the guardianship of his father Indal Rai Son of
SubhLal Rai, R/o- Village- Bahurar, P.S.- Nanpur, District - Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Respondent/s : Mr. Ram Sevak Choudhary

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

5 13-03-2019 This revision application has been filed against the

order dated 03.12.2018 passed in Nanpur P.S. Case No.421 of

2017/G.R. No.1534 of 2017 by learned 1st Additional Sessions

Judge-cum-Special Judge, Children Court, Sitamarhi.

Prosecution case in short is that the informant on hulla
that a dead body was found in Janipur Baghar went there and
found the dead body of his son and suspected that the petitioner
and others have killed his son.

It appears that earlier also the petitioner has filed
Criminal Revision No.878 of 2018 before this Court against the
judgment dated 26.06.2018 passed by the Additional Sessions
Judge cum Special Judge, Children Court, Sitamarhi in Cr.
Appeal No.19 of 2018 / 10 of 2018 by which, he has rejected



the prayer for bail of the petitioner, affirming the order of the Juvenile Justice Board dated 16.05.2018 passed in Nanpur P.S. Case No.421 of 2017 and the said Criminal Revision i.e. Criminal Revision No. 878 of 2018 was allowed by this Court vide order dated 10.10.2018 and the matter was remitted back to the Juvenile Justice Board for passing afresh order under Section 15 and 18(3) of the Juvenile Justice (Care and Protection of Children) Act.

Submission of learned counsel for the petitioner is that as per the direction of this Court, learned Juvenile Justice Board has passed the order on 03.12.2018, which is annexed with the supplementary affidavit. It is not in dispute that the petitioner is a child in conflict with law and his age has also been assessed as 16 years 04 months and 01 day at the time of occurrence vide order dated 10.04.2018 and so far allegation is concerned, save and except the confession of co-accused Amaresh Sah, there is nothing on record so as to show, the involvement of the petitioner in the offence. Furthermore, the petitioner has been in remand home for more than one year.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances of the case as stated above, order dated



03.12.2018 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Children Court, Sitamarhi in Nanpur P.S. Case No.421 of 2017/G.R. No.1534 of 2017, is set-aside and the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the concerned court below. He will under supervision of Probation Officer with condition that if any adverse report reported against him, the prosecution will be at liberty to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

Amjad/-

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