

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1272 of 2018

Arising Out of PS. Case No.-80 Year-2018 Thana- MASHRAK District- Saran

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Bipin Kumar @ Bipin Singh, S/o Bharat Singh, Resident of Village- Bangara,
P.S. Masrakh, District- Saran at Chapra, under the guardianship of his natural
Father.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Adv
For the Respondent/s : Mr.Sri Uday Chand Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 06-03-2019 Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the order dated 28.09.2018 passed by learned 1st Additional Sessions Judge, Saran at Chapra in Criminal (Juvenile) Appeal No. 57 of 2018 by which appeal of the petitioner for grant of bail against the order dated 28.08.2018 passed by learned Juvenile Justice Board, Saran at Chapra in connection with J.J.B. Case No. 1467 of 2018 arising out of Masrakh P.S. Case No. 80 of 2018, registered under Section 12 of the Juvenile Justice (Care and Protection of Children) Act, in connection with Masrakh P.S. Case No. 80 of 2018 registered for the offences under Section 302, 34 of the Indian Penal Code have been dismissed.

Informant has alleged that all FIR named accused



persons including petitioner assaulted his son namely Chotelal Thakur in the mean while accused Dhananjay Mahto gave knife blow to his son on his abdomen and thigh resulting serious injury, he brought his son to PHC, Mashrakh and in the way his son died.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case due to previous enmity. There is no specific allegation against petitioner rather specific allegation is against co-accused Dhananjay Mahto. Petitioner on the date of occurrence was declared juvenile and he is languishing in remand home since 28.03.2018.

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 28.09.2018 passed by learned 1st Additional Sessions Judge, Saran at Chapra in Criminal



(Juvenile) Appeal No. 57 of 2018 and order dated 28.08.2018 passed in Juvenile Justice Board Case No. 1467 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, Saran at Chapra in connection with Masrakh P.S. Case No. 80 of 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/-

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