

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1436 of 2018

Arising Out of PS. Case No.-108 Year-2018 Thana- TEGHRHA District- Begusarai

Keshav Kumar S/o Ranjit Singh through its legal guardian namely Ranjit Singh S/o Ram Padarath Singh Resident of Village-Dularpur,P.S. Teghra,Distt.-Begusarai,legal guardian Ranjit Singh S/o Ram Padarath Singh,Resident of Village-Dularpur,Nayannagar,P.S. Teghra,Distt.-Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha
For the Respondent/s : Mr.Sri Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 03-04-2019 Heard learned counsel for the parties.

The present revision application has been preferred by the petitioner against the order dated 31.10.2018 passed by learned Additional Sessions Judge-II, Begusarai in Cr. Appeal No. 80 of 2018 out of P.S. Case No. 108 of 2018 and also order dated 23.08.2018 passed by Principal Magistrate Juvenile Board, Begusarai in connection with J.J.C.P. 12/18 have been dismissed.

Informant is the father of victim, who has alleged that petitioner committed rape upon his minor daughter Rupam Kumari who was of unsound mind and thereafter killed her.

It has been submitted on behalf of the petitioner that petitioner is not named in the FIR. His name has surfaced in



this case only on the basis of his confessional statement. It has been further submitted that petitioner has submitted birth certificate in which date of birth of petitioner is shown as 01.01.2002 which is below from the age of 17 years. It has been further submitted that learned A.D.J. I, Begusarai has declared juvenile at the time of incident. Petitioner is in custody since 18.04.2018.

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 been further submitted on behalf of the 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 31.10.2018 passed by learned Additional Sessions Judge-II, Begusarai in Cr. Appeal No. 80 of 2018 out of P.S. Case No. 108 of 2018 and also order dated 23.08.2018 passed by Principal Magistrate Juvenile Board, Begusarai in connection with J.J.C.P. 12/18 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 Principal Magistrate, Juvenile Board, Begusarai, in connection with Teghra P.S. Case No. 108 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)

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