

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.201 of 2020

Arising Out of PS. Case No.-143 Year-2019 Thana- UCHKAGAON District- Gopalganj

MUKESH SAHANI @ BABLU SAHANI @ BABLU KUMAR S/o Manoj Sahani Resident of Village- Barari Jagdish, P.S.- Uchakagaon, Distt-Gopalganj. through his mother and natural guardian Champa Devi, Wife of Manoj Sahani, Resident of Village- Barari Jagdish, P.S.- Uchakagaon, Distt-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Lokesh Kumar Singh
For the Respondent/s	:	Mr.Satyendra Narayan Singh

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 19-02-2020 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks to challenge the order passed in Cr. Appeal No. 80 of 2019 by the learned 1st Additional Sessions Judge, Gopalganj on 13.12.2019. By the aforesaid order, the learned Appellate Court has confirmed the order refusing bail to the petitioner for the offences under Sections 341/323/307/302/447/504/506/34 of the Indian Penal Code and Section 27 of the Arms Act who is a juvenile in J.E. No. 77 of 2019 arising out of Uchakagaon P.S. Case No. 143 of 2019 passed by the Principal Magistrate, Juvenile Justice Board, Gopalganj vide order dated 30.09.2019.



Learned counsel for the petitioner submits that the petitioner is a juvenile as has been declared vide order dated 05.08.2019 passed in J.E. No. 77 of 2019. Learned counsel for the petitioner further submits that since the petitioner is a juvenile, he is entitled to the benefit of Section 12 of the J.J. Act and Rules, 2015 and may be released in favour of his mother and natural guardian, namely, Champa Devi, who will keep him under her care and protection.

In view of the aforementioned submissions and that the petitioner has already been declared to be a juvenile vide order dated 05.08.2019 passed in J.E. No. 77 of 2019 and needs care and protection and his mother undertakes that she will keep the petitioner under her own strict guidance and not allow him to mix with unknown persons and criminals, let the petitioner, namely, Mukesh Sahani @ Bablu Sahani @ Bablu Kumar be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Principal Magistrate, Juvenile Justice Board, Gopalganj, in connection with J.E. No. 77 of 2019 arising out of Uchakagaon P.S. Case No. 143 of 2019, in favour of his mother who shall keep him under her guardianship and produce him as and when required and also subject to the



following 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 proper 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.

With the aforesaid observations and directions, the present revision application stands allowed.

Consigned.

(Anjana Mishra, J)

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