

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.587 of 2019

Arising Out of PS. Case No.-250 Year-2018 Thana- PANCHRUKHI District- Siwan

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Jitendra Yadav @ Jitendra Kumar, aged about 16 years (M), Son of Saral Chaudhary @ Asheshar Chaudhary Resident of Village - Sadikpur, P.S.- Pachrukhi, District - Siwan Under his Guardianship of Rajendra Prasad Yadav S/O- Ramashish Prasad, R/O Village - Sadikpur, P.S.- Pachrukhi, District – Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Respondent

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey, Advocate
For the Respondent/s : Mr.Ashok Kumar SinghA, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 18-02-2020 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner, in the present case, is a juvenile who is seeking his release from the observation home where he has been kept since 05.02.2019 and has been declared a child in conflict with law.

Learned counsel for the petitioner submits that the age of the petitioner has been assessed at 16 years as has been described in the petition. It is further submitted that from perusal of the First Information Report it will appear that there are general and omnibus allegation of assault by Lathi as well as hand and fists blow and one of the co-



accused Pramila Devi has been granted anticipatory bail by learned coordinate Bench of this court in Cr. Misc. No. 6282/2019.

Learned counsel further submits that the Social Investigation Report of the petitioner does not disclose any criminal record of this petitioner and people have stated that his mental condition was good. The Ward Parshad, Local Mukhiya and Sarpanch have also stated that the character of the petitioner is good and further no other abnormality has been found. It has also come in the report that on the alleged date of occurrence the uncle (since deceased) of this petitioner had come in drunken condition and was having abuses in course of which there had been some altercation and he fell down at the place of occurrence and died.

Learned APP for the State has though opposed the prayer for release but at the same time submitted that in course of investigation it has revealed that there are general and omnibus allegations of assault against all the accused persons.

In the given facts and circumstances of the case where this petitioner is said to be juvenile aged about 16



years as appearing from the social investigation report also and there are general and omnibus allegations which have revealed in course of investigation and there is no other abnormality with the petitioner either physically or mentally, this court is of the opinion that he is required to be reunited with his family, and, therefore, directs release of the petitioner on furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Siwan in connection with J. Tr. No. 89/2019 arising out of Pachrukhi P.S. Case No. 250/2018.

The parents of the petitioner shall ensure that the petitioner does not fall in any bad company and care should be taken of his study.

This application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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