

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.638 of 2019

Arising Out of PS. Case No.-14 Year-2017 Thana- BATHNAHA District- Sitamarhi

Rajesh Kumar S/o Nathuni Mahto Resident of Village- Vishnupur
Adhar, P.S.- Kanhauli, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Petitioner/s	:	Mr. Mahendra Thakur, Advocate Mr.Sanjay Kumar, Advocate
For the Respondent/s	:	Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 18-02-2020 Heard learned counsel for the petitioner and

learned counsel for the State.

Petitioner in the present case has been declared
juvenile and is seeking his release in connection with
Bathnaha P.S. Case No. 14 of 2017, corresponding to J.J.
Board Case No. 499/2019 registered under Section 392 of
I.P.C.

Learned counsel for the petitioner submits that the
petitioner has been involved in this case by taking him on
remand from another case in which he was arrested on mere
suspicion. It is further submitted that in the present case
though the petitioner was taken on remand on 24.09.2018
but till date there is no identification of the petitioner and



further that the social investigation report of the petitioner shows that he had passed his matriculation examination and after passing from there he was working in a Medicine Company from where he was earning Rs. 8000/- per months which he was spending towards the expenses of the family but then he was arrested by police from Araria market. In this case no recovery has been made from his possession.

Learned APP for the State has though opposed the prayer for release of the petitioner, however it is not denied that in the present case the petitioner is not named in the F.I.R., he has been taken on remand from another case and there is no recovery of any incriminating material from his possession as also that the social investigation report shows that he was earning and was taking responsibility of his family.

In the given facts and circumstances of the case where there is no recovery from the possession of the petitioner, he has not been identified by anybody and is said to have been kept in the observation home/remand home/place of safety as the case may be since 24.09.2018 and the social investigation report does not show anything



adverse against him rather it shows that the petitioner was taking responsibility of his family by earning in a medicine company, this court 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 Juvenile Justice Board, Sitamarhi in connection with J.J. Board Case No. 499/2019 arising out of Bathnaha P.S. Case No. 14/2017.

(Rajeev Ranjan Prasad, J)

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