

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.957 of 2019

Arising Out of PS. Case No.-287 Year-2018 Thana- PAROO District- Muzaffarpur

Ashutosh Raj, aged about 17 years, Male, Son of Bipul Kumar Singh @ Vipul Kumar Resident of Village - Daudpur, P.S.- Paroo, District - Muzaffarpur (under the Guardianship of his father Bipul Kumar Singh @ Vipul Kumar).

... .. Petitioner

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate

For the Respondent/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 20-02-2020 Heard learned counsel for the petitioner and

learned counsel for the State.

Petitioner in the present case is a juvenile and seeking his release from the observation home after setting aside the order dated 11.07.2019 passed by learned 1st Additional Session Judge – cum – Special Judge (Children Court), Muzaffarpur in Cr. Appeal No. 66/2019. By the impugned order the learned Special Judge (Children Court) has refused to release the petitioner from observation home.

As per allegation the daughter of the informant had gone to attend the marriage ceremony from where she went missing. In course of investigation, it transpired that she had been in touch with this petitioner and had gone with



him under impression that the petitioner will marry her. She lived with the petitioner for four months in the State of Tamil Nadu, and thereafter she lived with the petitioner for two months in Delhi. On her return to Patna she along with the petitioner was arrested and her statement under Section 164 Cr.P.C. was recorded. She disclosed her age as 22 years and stated that the petitioner had come to take her and being allured by the promise to marry she had gone with the petitioner. She also expressed her desire that in case the petitioner marries her she would live with him.

Learned counsel for the petitioner submits that apparently the petitioner is a juvenile whereas the victim girl was major aged about 22 years. At this stage the petitioner is in observation home since 03.01.2019 and in the nature of the allegations where the victim girl has herself accepted the relationship and has narrated the same in her statement as also that the petitioner belongs to a family having means and father of petitioner is working in the State of Tamil Nadu and is ready to give an undertaking to take care of the petitioner he may be released from the observation home.



Learned counsel for the State is present.

In the given facts and circumstances of the case where the petitioner is said to be juvenile and the victim girl as accepted her relationship, she has been found to be aged about 22 years and the father of the petitioner is ready to undertake that he would take care of the petitioner, let the petitioner, above-named, be released on bail 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, Muzaffarpur, in connection with Paroo P.S. Case No. 287/2018 (G.R. No. 2532/2018).

(Rajeev Ranjan Prasad, J)

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