

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1176 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- RAJPUR District- Buxar

MD. MEHTAB ANSARI @ MEHTAB ANSARI Son of Muztaba Ansari @
Mujataba Ansari under guardianship of Muztaba Ansari @ Mujataba Ansari,
aged about 50 years, male, S/o Riyajudin Ansari, R/o-Village-Mangraon @
Mangrovan, P.S-Rajpur, District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai, Advocate
For the Respondent/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 31-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks to challenge the order dated
03.06.2019 passed by the Juvenile Justice Board, Buxar in J.J.B.
Case No. 510 2019 arising out of Rajpur P.S. Case No. 02 of
2019 registered under Section 302/34 of the Indian Penal Code
and Section 27 of the Arms Act whereby and whereunder the
prayer for bail of the petitioner has been rejected and also
against the order dated 03.07.2019 passed in Cr. Appeal No. 46
of 2019/C.I.S. No. 46 of 2019 arising out of Rajpur P.S. Case



No. 02/2019 arising out of J.J.B. Case No. 510/2019 passed by the learned Additional District and Sessions Judge-1st cum Special Judge, Buxar, whereby the order of Juvenile Justice Board has been affirmed and appeal preferred by the petitioner has been dismissed.

Learned counsel for the petitioner submits that though the petitioner is said to have fired on the deceased, there is no eye witness of the alleged occurrence and the social investigation report does not reveal anything against the petitioner and has also been declared juvenile by the J.J. Board, Buxar vide order dated 24.05.2019. It is further submitted that in the light of the provisions of Section 12 of the J.J. Act, 2015, the petitioner may be either placed in the custody of the fit person or a Probation Officer or released in favour of his father, who shall produce him as and when required. It is further submitted that the petitioner has already been in custody since 17.01.2019 and, therefore, he may be extended the privilege of bail.

Having considered the entire facts and circumstances of the case and that the petitioner has already been declared to be a juvenile under the provisions of the Act and need care and protection, let the petitioner, namely, Md. Mehtab Ansari @



Mehtab Ansari 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 Juvenile Justice Board, Buxar in connection with J.J.B. Case No. 510 of 2019 arising out of Rajpur P.S. Case No. 02 of 2019 in favour of his father, who shall keep him under his 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 consigned.

(Anjana Mishra, J)

Jagdish/-

U		T	
---	--	---	--

