

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1392 of 2019

Arising Out of PS. Case No.-176 Year-2018 Thana- GARDANIBAG District- Patna

Tarun Kumar @ Tarun Yadav, Son of Late Ranjit Gope @ Ranjeet Kumar Singh, under the Guardianship of mother, namely, Urmila Devi, Wife of Late Ranjit Gope @ Ranjeet Kumar Singh, Resident of Village - Karauri Chak, P.S.- Phulwari Sharif, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : None

For the Respondent/s : None

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 11-02-2020 The present revision application has been preferred against the order dated 23.10.2019 passed in Cr. Appeal No.175 of 2019 by Additional Sessions Judge-1st, Patna as well as the order dated 06.09.2019 passed in Misc. Case No.2 of 2019 passed by Juvenile Justice Board, Patna City, whereby and whereunder the prayer for bail of the petitioner has been rejected in connection with Gardanibagh P.S. Case No.176 of 2018 registered under Section 302/120B/34 of the Indian Penal Code and Section 27 of the Arms Act, which is pending in the court of the Juvenile Justice Board, Patna City, Patna.

It is contended in the revision application that though the revisionist-petitioner had been found to be minor, as his age was 15 years 6 months 7 days on the date of



occurrence, which is evident from the order dated 27.08.2019, the Juvenile Justice Board, Patna City refused to release him vide order dated 06.09.2019. It is further contended in the revision application that against the aforementioned order, the petitioner approached the learned District & Sessions Judge, Patna for his release vide Cr. Appeal No.175 of 2019, but the same has been rejected on 23.10.2019 without appreciating the fact that petitioner was already declared to be a juvenile and has been in incarceration since 30.05.2018. It is further contended in the revision application that since the petitioner has already undergone one year and a half in custody and there being omnibus allegation against him and has no criminal antecedents, he may be released on bail.

Having perused the records of the case and the nature of allegation made and particularly, because of the fact that the impugned orders are against the provisions as contained in Section 12 of the Juvenile Justice Act 2015, let the above named petitioner, a juvenile, be released, on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Juvenile Justice Board, Patna City, in connection with Gardanibagh P.S. Case No.176 of 2018, in favour of his mother, namely, Urmila



Devi, who shall keep him under her guardianship and produce him as and when required and also subject to the condition that one of the bailors of the petitioner shall be his mother who at the time of filing of the bonds, shall also give an undertaking that she will take proper care of the petitioner and in case the petitioner does not act as per her advice, she shall report the matter to the Officer-in-Charge of the concerned police station and further during the period of bail, the petitioner will be under the supervision of concerned Probation Officer.

In the result, the revision application is allowed and the impugned orders dated 23.10.2019 and 06.09.2019 are set aside.

(Anjana Mishra, J)

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