

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.163 of 2021

Arising Out of PS. Case No.-105 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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VISHAL KUMAR Son of Chotu Mandal @ Zotu Mandal Resident of Village- Chhota Raghunathpur, P.S.- Barsoi, District- Katihar, the father of the Petitioner is the natural guardian namely of Chhotu Mandal @ Zotu Mandal aged about 37 years male, Son of Mahabir Mandal, Resident of Village- Chhota Raghunathpur, P.S.- Barsoi, District- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Respondent

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Respondent/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-02-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner in this case is a juvenile who is seeking to challenge the order dated 05.10.2020 passed in Cr. Appeal No. 13 of 2020 CIS No. 13 of 2020, by the learned 1st Additional Sessions Judge-cum-Special Judge, Purnea, whereby and whereunder the learned 1st Additional Sessions Judge-cum-Special Judge, Purnea rejected the prayer for bail of the petitioner in connection with CI Case No. 105 of 2020 and refused to set aside the order dated 20.08.2020 passed in CI Case No. 105 of 2020 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 passed by the learned



Juvenile Justice Board, Purnea.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to ulterior motive. Learned counsel submits that nothing has been recovered from the conscious possession of the petitioner. It is submitted that the petitioner has no criminal antecedent and he is in observation home since 05.03.2020.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner is a juvenile who is said to have been apprehended while he was on a tempo from which some liquors were seized, he has no criminal antecedent and apart from that it transpires from the impugned order passed by the learned 1st Additional Sessions Judge-cum-Special Judge that the petitioner was earning his livelihood at this age because he comes from economically backward society and was working as driver, this Court is willing to give an opportunity to the petitioner to mend his ways and get reunited to the mainstream of the society, the impugned order is thus set aside.

Let the above-named petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand only) with two sureties of the like amount each to the satisfaction of learned Juvenile Justice Board, Purnea in connection with C.I. Case No. 105 of 2020, one of the family members of the petitioner having no criminal antecedent shall be a bailor and he will furnish an undertaking that after release on bail he will not allow the petitioner to come in contact with any bad element.

The Probation Officer shall keep on visiting the residence of the petitioner and submit his observations/report to the Juvenile Justice Board, Purnea periodically.

This application is, thus, allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

