

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.324 of 2021

Arising Out of PS. Case No.-32 Year-2017 Thana- KARTAHA District- Vaishali

SANJEET KUMAR Son of Lalu Bhagat Resident of Village - Kartaha
Bujurg, P.S.- Kartaha, Dist.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Respondent/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 01-12-2021 Heard Mr. Anuj Kumar, learned Advocate for

the petitioner and Mr. Bharat Lal, learned APP for the

State.

By order dated 06.11.2019, the prayer for
release of the juvenile/petitioner from the observation
home was earlier twice rejected.

The petitioner is in observation home since
15.05.2017 and the trial has not yet been concluded.

Let it be noted that the petitioner was more
than 16 years of age on the date of the occurrence when
he was reported to have ravished a eight year old girl.

Learned counsel for the petitioner has



submitted that the doctor who medically examined the victim girl was not sure whether the injuries could be attributed to any sexual attack on her. The opinion of the doctor is absolutely vague and cannot be accepted in view of the categorical statement of the victim in her 164 statement.

Apart from this, there is nothing on record to indicate that over the period of time during his stay in the observation home, his behaviour has undergone any favourable change.

In any view of the matter, considering the nature of accusation levelled against the petitioner and the possibility of his returning back to recidivism, I am not inclined to direct for his release from the observation home.

The prayer for release from observation home is rejected.

However, the trial court is directed to conclude the trial positively within a period of five months, failing



which the juvenile/petitioner shall approach the trial court for grant of bail and in that event the trial court shall record reasons for not concluding the trial within the stipulated time.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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