

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No 397 of 2020

Arising Out of PS. Case No.-87 Year-2018 Thana- RAJAOLI District- Nawada

RAKESH DAS @ RAKESH KUMAR S/O Ganauri Das Resident of Village -
Chotha, P.I.S.- Rajauli, District - Nawada under the guardianship of his father
Ganauri Das aged about 45 years, S/O Jagdis Das, Resident of Village -
Chautha, P.S. - Rajauli, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr Sheo Kumar Prasad, Advocate
For the Respondent/s : Mr.A.G.

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

4 19-03-2021

Heard learned counsel for the petitioner and the State.

Without even considering the Social Investigation Report or report of Child Probationary Officer, the petitioner's counsel submits that the prayer has been rejected though the petitioner happens to be a juvenile.

Prosecution case is that informant's truck was overtaken by four miscreants. They have stopped the truck and taken it away.

Learned counsel for the petitioner submits that the petitioner's implication is merely on suspicion and other than his own confessional statement, there is no material to connect him with the alleged occurrence. There is no recovery from the petitioner of any incriminating material and merely because he has earlier been falsely implicated in three other cases, he has



falsely been implicated in this case also.

By order dated 26.02.2021, this Court has requisitioned the Social Investigation Report and Report of Child Probationary Officer. The same have been received. From perusal of the reports, it appears that, at the Observation Home, the petitioner has been maintaining good conduct and relation with the fellow inmates and he has shown remorse and expressed his desire to carry on his studies.

Considering the aforesaid submissions, facts and circumstances and having regard to the provisions contained in Section 12 of the Juvenile Justice (Care and Protection of Children) Act, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Juvenile Justice Board, Nawada in Rajauli Police Station Case No 87 of 2018.

The Juvenile Justice Board, while releasing the petitioner, will take an undertaking from his father regarding petitioner's proper guidance and safe keeping.

(Madhuresh Prasad, J)

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