

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL REVISION No.484 of 2021**

Arising Out of PS. Case No.-93 Year-2016 Thana- GOVINDPUR District- Nawada

VIKASH KUMAR, S/o Binod Mistri, R/o-Villge, Dhiraundh, P.S.-Sirdala,
District- Nawada (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Advocate
For the Respondent/s : Mr.Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 06-09-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Surendra Prasad Singh, learned APP for the State.

Petitioner in the present case is seeking setting aside of Judgment dated 19.7.2021 passed in Cr. Appeal (Juvenile) Case No. 13 of 2021 arising out of Govindpur P.S. Case No. 93 of 2016 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016 read with under Section 25(1-b)a/26/35 of Arms Act.

Learned counsel for the petitioner submits that as per the First Information Report this petitioner along with co-

accused Sonu Kumar were arrested by police when they were moving on a splendor motorcycle. From possession of this petitioner two live cartridges of .315 were recovered while from possession of co-accused eight pouches of 200 ml country made wine were found.

Learned counsel for the petitioner submits that on the alleged date of occurrence the petitioner was aged about fifteen years.

On the other hand Mr. Surendra Pd. Singh, learned APP for the State submits that from the impugned order itself it appears that petitioner has fallen in bad company. While he was in the remand home and was being produced in the Children's Court, in course of his production on 10.4.2017 he escaped from the custody of police and thereafter appeared in this case only on 1.2.2021. Therefore, for about four years the petitioner was absconding. The learned Additional Sessions Judge-I-cum Special Judge, Nawada has found from the materials on the record that there are allegation that the petitioner is a member of a gang involved in trade of illicit liquor.

Considering the facts and circumstances of the case and keeping in mind the best interest of the child on the principles of *parens patriae*, this Court is of the considered

opinion that release of the petitioner on bail at this stage is likely to bring him in the company of bad people and there are more chances of his falling in similar kind of offence.

The prayer for bail is thus refused.

Let the Juvenile Justice Board, Nawada complete the inquiry as early as possible within the time frame fixed under the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015.

The application stands disposed of accordingly.

(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'.