

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.533 of 2021

Arising Out of PS. Case No.-266 Year-2020 Thana- PAKARIBARAW District- Nawada

Vikash Kumar S/O Manohar Mistry @ Manohar Sharma (under The Guardianship Of Rani Devi W/O Manohar Mistry @ Manohar Sharma), R/O Village-Losighani, P.S-Sikandra, District-Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate

For the Respondent/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 08-10-2021 Heard the parties in virtual Court proceeding.

This criminal revision application has been preferred under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015, against refusal of the prayer for bail to the petitioner, by the learned Juvenile Justice Board, Nawada, in GR/C/-3671/2020/J.I.N.-762/2020, arising out of Pakaribarwan P.S. Case No.266 of 2020, vide order dated 16.04.2021. The said order was affirmed by the lower appellate Court on 29.07.2021 in Cr. Appeal No.17 of 2021. The order of the learned lower appellate Court is also under challenge in this application.

The petitioner was declared juvenile by the Juvenile Justice Board. The FIR of the occurrence of robbery is against unknown. Name of the petitioner surfaced in the confessional



statement of co-accused. The petitioner is behind the bar since 04.01.2021.

The learned Courts-below have not acted consistent with the mandate of law in the matter of grant of protection to the juvenile in conflict with law. On the basis of the aforesaid material even adult accused persons are being granted bail. Hence, the impugned orders are hereby set aside as they are not consistent with the mandate of Juvenile Justice (Care and Protection of Children) Act, 2015.

Let the petitioner, above named, be released at once on execution of surety bond by either of the parents of the petitioner giving undertaking that he/she shall keep proper care and upkeep of the petitioner and shall fully cooperate in the proceeding before the Juvenile Justice Board/Children Court.

(Birendra Kumar, J)

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