

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.25 of 2021**

Arising Out of PS. Case No.-175 Year-2020 Thana- BAGHA District- West Champaran

XX

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Chandrawati Devi W/O Shree Mukti Raut R/O Village-Sirisiya, P.S-
Bhairoganj, West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate
For the Respondent/s	:	Mr. Sanjay Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 05-04-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Though the petitioner has given full description in the application, it would be inappropriate to disclose his identity in view of section 74 of the Juvenile Justice (Care and Protection of Children) Act, 2015. Thus, he is being referred to in the cause title as XX.

This application has been preferred under the Juvenile Justice (Care & Protection of Children) Act, 2015 against the order dated 25.9.2020 passed in Cr. Appeal no. 19 of 2020 by the learned Sessions Judge, West Champaran at Bettiah whereby the appeal was dismissed affirming the order dated 17.8.2020 passed by the Juvenile Justice Board, Bettiah in J.J.B. Tr. no.



575 of 2020 (arising out of Bagaha (Bhairoganj) P.S. Case no. 175 of 2020 registered under sections 354, 354B and 306 of the Indian Penal Code and section 8 of the POCSO Act.

As per allegation in the FIR, the petitioner is stated to have misbehaved with the grand daughter of the informant as a result of which she committed suicide by hanging herself.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. The occurrence did not take place as has been narrated in the FIR. It is submitted that by order dated 25.6.2020 passed by the Juvenile Justice Board, West Champaran, Bettiah, the petitioner was declared to be a juvenile. He is in juvenile home since 21.5.2020 and has no criminal antecedent.

The application is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner having been declared to be a juvenile by the above mentioned order and being in the juvenile home since 21.5.2020, the Court is inclined to allow the instant application. The application is allowed and the order dated 25.9.2020 passed in Cr. Appeal no. 19 of 2020 by the learned Sessions Judge, West Champaran at Bettiah and the order dated



17.8.2020 passed by the Juvenile Justice Board, Bettiah in J.J.B. Tr. no. 575 of 2020 are hereby set aside.

It is directed that on the undertaking given by his father, the petitioner shall be enlarged on bail in connection with Bagaha (Bhairoganj) P.S. Case no. 175 of 2020 on furnishing bail bond of Rs. 5,000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned Juvenile Justice Board, West Champaran, Bettiah.

(Partha Sarthy, J)

Prakash/-

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