

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.244 of 2021

Arising Out of PS. Case No.-286 Year-2014 Thana- AKBARPUR District- Nawada

RAM RATAN CHAUDHARY Son of Late Sunil Chaudhary (Occurrence time aged 16 years, 10 months and 10 days) Resident of village - Old Durga Asthan Sikandra, P.S.- Sikandra, District - Jamui. Under Guardianship of his mother namely Shanti Devi aged about 55 years Wife of Late Sunil Chaudhary, Resident of village - Old Durga Asthan, Sikandra, P.S.- Sikandra, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sheo Nandan Prasad, Advocate
For the Respondent/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-02-2022 Due to the third wave of COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP for the State through virtual mode.

Learned Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

This Criminal revision application has been preferred against the order dated 19.01.2021 passed by the Additional District and Sessions Judge 1st-cum-Special Judge, Nawada in Criminal Appeal No.17/2020, whereby the appeal filed by the petitioner was



dismissed against the order dated 07.10.2020 passed by the learned Juvenile Justice Board, Nawada, whereby and whereunder the Juvenile Justice Board, Nawada has rejected the prayer for bail of the petitioner in connection with G.R. No.2828/2014/J.I. No.622/2020 arising out of Akbarpur P.S. case No.286 of 2014 registered under Section 392 of the Indian Penal Code.

The prosecution case, in short, is that three unknown persons looted the motorcycle, cash, ATM and mobile of the informant.

Learned counsel for the petitioner submits that the petitioner is a juvenile and is in Remand Home since 31.01.2020. He has been falsely implicated in the present case. The petitioner is not named in the F.I.R. The case was instituted against three unknown persons, who are alleged to have looted the motorcycle, cash, ATM and mobile of the informant. No T.I.P. has been conducted to confirm the participation of the petitioner in the alleged occurrence nor there is any recovery of incriminating article from the possession of the petitioner. The name of the petitioner has transpired in this case merely on the basis of suspicion and self confession made before the police.

On behalf of the State, it has been submitted that there are 21 criminal cases pending against the petitioner. Said fact is supported by the statement made by the petitioner in paragraph 3 of the main bail application and paragraph 2 of the supplementary



affidavit filed on behalf of the petitioner.

Having regard to the facts and circumstances of the case, social investigation report of the petitioner was called for from the concerned Probation Officer by order dated 07.12.2021. The Probation Officer in his report has reported that the petitioner has been apprehended in other cases. Many criminal cases of heinous nature are pending against the petitioner.

Considering the fact that the petitioner is involved in large number of criminal cases, the release of petitioner would defeat the ends of justice as there is high possibility of petitioner getting involved in crime after his release. Therefore, I am not inclined to release the petitioner on bail. The criminal revision is dismissed.

The Juvenile Justice Board, Nawada is directed to take all necessary steps to conclude the trial preferably within a period of nine months from the date of receipt/production of a copy of this order.

Narendra/-

(Sudhir Singh, J)

U		T	
---	--	---	--

