

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL REVISION No.165 of 2022**

Arising Out of PS. Case No.-171 Year-2021 Thana- WARISLIGANJ District- Nawada

(XXX) S/O Ganesh Ravidas Under The Guardianship Of Ganesh Ravidas S/O  
Late Sohray Ravidas, R/O Village- Paingari, P.S.- Warisaliganj, District-  
Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate  
For the Respondent/s : Mr. Bharat Lal, APP

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

4      30-06-2022                      Learned counsel for the petitioner undertakes to  
remove all the defects as pointed out by the office within four  
weeks.

Heard learned counsel for the petitioner and Mr. Bharat  
Lal, learned APP for the State.

This revision application is directed against the order  
dated 25.01.2022 passed by learned 1<sup>st</sup> Additional District &  
Sessions Judge-I-cum-Special Judge, Nawada in Cr. Appeal  
(Juvenile) No. 37 of 2021 whereby the order rejecting prayer for  
bail of the petitioner by learned Juvenile Justice Board, Nawada in  
POCSO Case No. 30 of 2021 arising out of Warisaliganj P.S. Case  
No. 171 of 2021 registered for the offences punishable under  
Sections 323, 341, 376, 506/34 of the Indian Penal Code and  
Section 4 of Protection of Children from Sexual Offences (in short  
'POCSO') Act, 2012 has been affirmed.



Learned counsel for the petitioner submits that the prosecution story is that at 03:00 A.M., when the informant went to ease out with her mother, on the way, this petitioner and one Pankaj Ravidas caught hold of the hand of the victim girl and pulled her whereupon the victim girl and her mother tried to stop them but Pankaj Ravidas caught hold of the hand of the victim's mother and this petitioner took the victim girl in Mushahari water tank room and committed rape on her.

Learned counsel for the petitioner submits that it is a case of false implication of the petitioner. The petitioner has been adjudged juvenile about 14 years of age on the basis of the date of birth mentioned in the school register. It is further submitted that the petitioner is studying in 9<sup>th</sup> class at Paingari High School.

Pointing out to the social investigation report, learned counsel submits that the victim girl has stated before the Probation Officer that when she came to know that the other side has lodged a case against the family then this case was lodged. It has also been revealed in course of inquiry by the Probation Officer that the brother of the victim was asking for some work from the father of the petitioner but the father of the petitioner was not providing him the work and the brother of the petitioner was doing the work of the ward and on this account, the family of the victim girl had planned to assault the brother of the petitioner but



that could not happen because of the death of the maternal grandmother of the petitioner. It has also come that when the brother of the petitioner and his mother had gone to participate in the cremation of the maternal grandmother and the petitioner and his father were alone in the house, the family members of the victim girl tied the petitioner with a tree by a rope and tried to burn him but somehow the petitioner was saved by police and in this connection Warisaliganj P.S. Case No. 159 of 2021 was lodged against the family members of the victim girl.

Learned APP for the State has though opposed the prayer for bail of the petitioner but after going through the materials available in the social investigation report, apparently pointing out that it may be a case of false implication of the petitioner because of lodging of the case against the family members of the victim girl and upon finding that this petitioner is a juvenile about 14 years of age and has no criminal antecedents as also that his father is there to stand as a surety and give an undertaking that if released on bail he would ensure that the petitioner does not fall in bad company and he remains connected with the mainstream of the society, this Court sets aside the impugned order and directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to



the satisfaction of learned Juvenile Justice Board, Nawada in connection with POCSO Case No. 30 of 2021 arising out of Warisaliganj P.S. Case No. 171 of 2021.

And further condition that one of the sureties shall be the father of the petitioner who will also furnish an undertaking that if released on bail the petitioner shall not be allowed to indulge in any unlawful act and all care will be taken that he does not fall in the company of anti-social elements and in case the petitioner indulges in any unlawful act, he will inform it to the jurisdictional police station.

And it is further ordered that the Probation Officer attached to the Juvenile Justice Board, Sitamarhi shall keep a vigil over the petitioner and will be submitting his periodical reports to the Juvenile Justice Board as regards the conduct of the petitioner.

This 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'.

