

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL REVISION No.213 of 2022**

Arising Out of PS. Case No.-193 Year-2020 Thana- GORIAKOTHI District- Siwan

(XXX) Son of Rangila Bin Under Gurardianship and Natural Guardian of his Fater Namely Rangila Bin aged 45 Years, Gender - Male, Son of Sukhdev Bin, Both Resident of Village - Chhitauli Kalan Nawka Tola, P.s.- Gorea Kothi, Distt.- Siwan.

... Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Respondent/s : Mr. Md. Fahimuddin, APP

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

4 02-12-2022 Heard learned counsel for the petitioner and Mr. Md. Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking setting aside of the order dated 14.02.2022 passed by learned 1st Additional District and Sessions Judge, Siwan, Bihar in Cr. Appeal No. 36 of 2021 whereby and whereunder the order dated 19.08.2021 rejecting the prayer for bail of the petitioner by learned Juvenile Justice Board, Siwan in J.E. Case No. 80 of 2021 arising out of Gorea Kothi P.S. Case No. 193 of 2020 registered under Sections 363, 365, 302, 120(B), 34 of the Indian Penal Code has been affirmed.

Learned counsel for the petitioner submits that on the alleged date of occurrence, the petitioner has been found aged about 13 years 11 months and 14 days. His name has transpired in the confessional statement of the co-accused. Learned counsel submits that



considering the age of the petitioner, he deserves privilege of bail.

On the other hand, Mr. Md. Fahimuddin, learned APP for the State has read out social investigation report of the petitioner. It is submitted that the petitioner is said to have been involved in kidnapping of the 10 years old boy who was next door neighbour to the petitioner and then the said boy was killed. The report says that there is tension in the society over the alleged killing, the parents of the petitioner are quarrelsome people and they were in fact instigating the petitioner to take revenge. The Probation Officer has stated that in course of his talk with the villagers, he could notice that in case of release of the petitioner on bail, his life may be in danger.

Considering the materials noticed in the report of the Probation Officer which have been pointed out by learned APP for the State, this Court is of the considered opinion that at this stage, the best interest of the child lies in keeping him in the observation home. His release is likely to put his life in danger as per the social investigation report.

This application is, thus, dismissed at this stage.

(Rajeev Ranjan Prasad, J)

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