

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.388 of 2022

Arising Out of PS. Case No.-876 Year-2019 Thana- FATUA District- Patna

XXX, son of Raj Ballam Yadav @ Raj Ballam Rai (Under the guardianship of his father), Resident of Village - Kachchi Dargah, P.S. - Nadi, Distt.- patna.
... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar, Advocate
For the Respondent/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 13-09-2022 Heard learned counsel for the petitioner and Mr. Jai Narain Thakur, learned APP for the State.

Petitioner in the present case is seeking setting aside of the impugned judgment 17.12.2021 passed in Cr.Appeal No.100 of 2021 by the learned Additional District and Sessions Judge-1st-cum-Special Judge (Juvenile Court), Patna whereby and whereunder the learned Sessions Judge has been pleased to affirm the order dated 05.07.2021 passed by the learned Juvenile Justice Board, Patna City in J.J.B. Case No.272 of 2020, arising out of Fatuha P.S. Case No.876 of 2019, registered for the offence under Section 392 of the Indian Penal Code by which the prayer for bail of the petitioner has been refused.

As per the prosecution story, when the informant was going from Patna to Hilsa on his motorcycle, suddenly two persons came on a motorcycle from behind at Daniyawan bridge



and stopped his motorcycle and on the point of knife and pistol both the miscreants took away his mobile, gold ring, gold chain and purse. Thereafter both the miscreants fled away.

Learned counsel for the petitioner submits that the petitioner has been adjudged juvenile aged about 15 years 10 months and 7 days on the alleged date of occurrence and he has remained in observation home since 25.12.2019.

Learned APP for the State has opposed the prayer for bail of the petitioner. He submits that the petitioner has got four criminal antecedents and he has got involved with a gang of criminals.

Having regard to the materials showing that the petitioner has got four criminal antecedents during a period of two years and this being the fifth case the material showing that he has got involved with a gang of criminals, this Court is of the considered opinion that his interest lies in keeping him in the observation home for the present.

This application is, thus, dismissed.

(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'.

