

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.511 of 2021**

Arising Out of PS. Case No.-181 Year-2016 Thana- KHAIRA District- Saran

XXX, D/o Sri Krishna Mahto Resident of Village - Maksuspur, P.S.- Khaira,
Distt.- Saran at Chhapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Yashraj Bardhan, Adv.
For the Respondent/s	:	Mr.Abhay Kumar, APP
For the Informant	:	Mr. Ravi Prakash, Adv.

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

3 20-06-2022 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Let the sealed envelope received from the Probation Officer, Juvenile Justice Board, Saran at Chapra be opened in the open court.

The envelope has been opened and social investigation report of the petitioner has been found in the envelope which has been taken on the record.

The petitioner in the present case is seeking setting aside of the judgment dated 23rd of April, 2021 passed by the learned 1st Additional Sessions Judge-cum-Children Court, Saran at Chapra in Cr.(Juvenile) Appeal No.14 of 2021.

By the impugned judgment, the learned appellate court has refused to interfere with the order passed by the learned



Juvenile Justice Board, Saran at Chapra in J.J.B. Case No.996/2021 refusing to enlarge the petitioner on bail.

Learned counsel for the petitioner submits that the grandfather of the petitioner and mother of the informant had contested Panchayat Election in which the mother of the informant had won. The two families are at rivalry. It is further submitted that both the parties are close-door neighbours and Pattidar and they have a land dispute. The allegation against the petitioner is false and fabricated. It is stated that the petitioner and the another co-accused had caught the leg of the victim Nagendra Mahto and others were pulling his neck with rope and thereby murdered him.

It is pointed out that this petitioner is hardly aged about 19 years and she is an unmarried girl of the family who has been made accused only because of the family rivalries. She has been adjudged juvenile aged about 14 years 5 months and 28 days on the alleged date of occurrence.

The social investigation report also reveals that the petitioner's conduct had been normal and has further recommended that the petitioner be released under supervision of the probation officer.

Learned APP for the State and learned counsel for the informant have though opposed the prayer for bail of the petitioner, but considering that the petitioner has been found aged



about 14 years 5 months and 28 days, the allegations against her are in the nature of a general and omnibus allegation and further keeping in view the spirit of Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015, this Court sets aside the impugned judgment 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, Saran at Chapra in connection with Khaira P.S. Case No.181 of 2016. One of the sureties should be the father of the petitioner and he will also furnish an undertaking that he will not allow the petitioner to fall in the bad company.

The Probation Officer shall keep on visiting the place of the petitioner and shall submit periodical report to the Juvenile Justice Board, Saran at Chapra as regards the conduct of the petitioner.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

arvind/-

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

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'.

