

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL REVISION No.553 of 2021**

Arising Out of PS. Case No.-3 Year-2021 Thana- MAHILA PS District- Gopalganj

(XXXX) Son Of Late Shekh Nasruddin @ Nasruddin R/O Village- Ram Das Bagahi, P.S.- Kateya, Dist.- Gopalganj, Under the Guardianship of His Mother Namely Samasul Jaha ... .. Petitioner

Versus

The State of Bihar ... .. Respondent

**Appearance :**

For the Petitioner/s : Mr. Javed Aslam, Advocate  
For the Respondent/s : Mr. Bharat Bhushan, APP

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

4      21-06-2022                      Learned counsel for the petitioner undertakes to remove all the defects as pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

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

This revision application is directed against the order dated 13.04.2021 passed by learned 1<sup>st</sup> Additional Sessions Judge, Gopalganj in Cr. Appeal No. 07 of 2021 whereby and whereunder the order dated 23.02.2021 rejecting prayer for bail of the petitioner passed by learned Juvenile Justice Board, Gopalganj in J.E. No. 20 of 2021 arising out of Gopalganj Mahila P.S. Case No. 03 of 2021 registered for the offence punishable under Section 376 AB of the Indian Penal Code and Section 4 of POCSO Act has been affirmed.

Learned counsel for the petitioner submits that the petitioner is alleged to have committed indecent act with the grand daughter of the informant.



Learned counsel submits that the petitioner has been declared juvenile aged about 14 years 11 months and 26 days only and in connection with this case, he has remained in the observation home for about one and half year. It is submitted that the petitioner has no criminal antecedent and mother of the petitioner is ready to give 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, she will inform it to the jurisdictional police station.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Having regard to the materials placed before this Court and the submissions showing that the petitioner has been declared juvenile aged about 14 years 11 months and 26 days only and in connection with this case, he has remained in the observation home for about one and half year, he has no other criminal antecedent and mother of the petitioner is ready to stand as a surety and furnish an undertaking in terms stated hereinabove, keeping in view the spirit of Section 12 of the Juvenile Justice (Care and Protection) 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, Gopalganj in connection with Gopalganj Mahila P.S. Case No. 03 of 2021.

And further condition that one of the sureties shall be the mother 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, she will inform it to the jurisdictional police station.

And it is further ordered that the Probation Officer attached to the Juvenile Justice Board, Gopalganj 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'.

