

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL REVISION No.583 of 2021**

Arising Out of PS. Case No.-48 Year-2020 Thana- MAHILA P.S. District- Nalanda

1. XXX, Son of Nawal Bind, R/O Village- Sipara, P.S.- Hilsa, District- Nalanda
2. XXX, Son of Vinod Bind, R/O Village- Sipara, P.S.- Hilsa, District- Nalanda

... .. Petitioners

Versus

The State of Bihar

... .. Respondent

**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar Sinha, Advocate  
For the Respondent/s : Mr. Akhileshwar Dayal, A.P.P.

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

4      20-06-2022                      Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

This case has been placed for consideration of the prayer of the petitioners to suspend the sentence and release them on bail during the pendency of the revision application.

Heard learned counsel for the petitioners and Mr. Akhileshwar Dayal, learned APP for the State.

This revision application is directed against the judgment dated 03.08.2021 passed by learned 1<sup>st</sup> Additional Sessions Judge, Nalanda, Bihar Sharif in Juvenile Appeal No. 08 of 2021 arising out of J.J.B. Case No. 194 of 2020 whereby and



whereunder the appeal filed on behalf of the petitioners against the judgment of conviction and sentence dated 03.04.2021 passed by learned Juvenile Justice Board, Bihar Sharif (Nalanda) in J.J.B. Case No. 194 of 2020 arising out of Mahila P.S. Case No. 48 of 2020 (G.R. No. 2512 of 2020) has been dismissed by modifying the sentence imposed upon the petitioners to undergo in home observation custody for a period of three years under Section 6 of the POCSO Act and for one year under Section 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that in the present case the petitioners have already remained in the observation home for more than two years and thereby they have remained in the observation home for a substantial period out the maximum period of three years imposed upon them.

Learned APP for the State has opposed the prayer for suspension of sentence and release of the petitioners on bail.

Having regard to the submission that the petitioners in the present case have already remained in the observation home for more than two years and thereby they have remained in the observation home for a substantial period out the maximum period of three years imposed upon them by the Juvenile Justice Board, Nalanda, this Court directs suspensiion of sentence and



release of the petitioners on bail during the pendency of the revision application on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned Juvenile Justice Board, Nalanda, Bihar Sharif in connection with J.J.B. Case No. 194 of 2020 arising out of Mahila P.S. Case No. 48 of 2020 (G.R. No. 2512 of 2020).

List this revision application for hearing on its turn.

**(Rajeev Ranjan Prasad, J)**

vats/-

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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'.

