

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.667 of 2021

Arising Out of PS. Case No.-175 Year-2020 Thana- BUNIYAD GANJ District- Gaya

XXX, Son of Subodh Kumar Singh, Resident of Mohalla - Rana Nagar,
Janakpur, P.S.- Mufassil, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Mishra, Adv.

For the Respondent/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 21-06-2022 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.

Heard learned counsel for the petitioner and Ms. Pushpa Sinha, learned APP for the State.

Petitioner in the present case is seeking setting aside of the judgment dated 23.09.2021 passed by the learned Special Judge (Children Court), Gaya in Criminal Appeal (Juvenile) Case No.59/2021 (C.I.S.) arising out of Buniyadganj P.S. Case No.175 of 2020 registered for the offences alleged under Sections 147, 148, 149, 323, 379 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that in this case the specific allegation of causing abuse and assault upon the



informant, his son and staff is against the co-accused Raju Yadav, Kala @ Vishal, Vivek Sonkar and Bauna. The petitioner is not named in the FIR and his name has transpired two and half months after the alleged occurrence in the case diary in the statement of one Shakir Hussain and Naushad.

Learned counsel further submits that nothing incriminating has been recovered from the possession of the petitioner, the petitioner has two criminal antecedents and in both the cases he is on bail. It is further submitted that if released on bail the father of the petitioner is ready to assure this Court that he will not allow the petitioner to fall in the bad company and in case the petitioner is found getting involved in any offence he would bring it to the notice of the jurisdictional police station immediately.

Ms. Pushpa Sinha, learned APP for the State has opposed the prayer for bail of the petitioner. It is submitted that the petitioner is in the company of bad elements and the parents of the petitioner has no control over him, therefore, if released on bail he is likely to come in the company of bad elements.

Having regard to the facts and circumstances of the case wherein the name of the petitioner has transpired in this case two and half months after the alleged occurrence, he is said to be juvenile aged about 16 years on the alleged date of occurrence and



his father is ready to stand as surety as well as to furnish an undertaking to the aforesaid effect, 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, Gaya in connection with Buniyadganj P.S. Case No.175 of 2020. One of the bailors 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 and in case the petitioner is found getting involved in any offence he would bring it to the notice of the jurisdictional police station immediately.

The Probation Officer shall keep on visiting the place of the petitioner and shall submit periodical report to the Juvenile Justice Board, Gaya 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'.

