

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.720 of 2021

Arising Out of PS. Case No.-84 Year-2017 Thana- GAUTAMBUDHNAGAR District- Siwan

XXX, Daughter of Kisanath Singh, Resident of Village - Pipra, P.S.- G.B. Nagar, District - Siwan, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar, Adv.

For the Respondent/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 19-07-2022 Learned counsel for the petitioner undertakes to remove all the defects, as pointed out by the office, within two weeks from today.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner in the present case is seeking setting aside of the impugned order dated 21.10.2021 passed by the learned Additional District Judge-I-cum-Special Court, Siwan in Criminal Appeal No.28/2021 whereby the learned appellate court has rejected the appeal of petitioner preferred against the order dated 24.08.2021 passed by the learned Juvenile Justice Board, Siwan rejecting prayer for bail of the petitioner in Juvenile Enquiry No.237/2021 arising out of G.B. Nagar P.S. Case No.84/2017 instituted under Sections 147, 148, 149, 341,



323, 324, 307, 302 and 504 of the Indian Penal Code.

Learned counsel for the petitioner submits that this petitioner happens to be a female member of the family and at the relevant time she was aged about 16 years 1 month. Both sides are co-sharers and it seems that they had a fight over some land dispute in which the elders in the family of the petitioner killed three members of the family of the co-sharers. So far as this petitioner is concerned, the allegation against her is that she had assaulted the mother of the informant who had sustained injury on her head but from the impugned order it would appear that the injury report was not available on the record and the opinion with regard to the nature of injury had been withheld.

Learned counsel submits that the mother of the informant has survived. About this petitioner, it is stated that she is presently aged about 21 years and at this young age in order to relate her with the main stream of the society she may be released on bail. She has attained majority.

Mr. Dayal, learned APP for the State has though opposed the prayer for bail of the petitioner on the merit of the allegations, but in the social investigation report no adverse observation has been found against the petitioner. The neighbours have stated that she has good nature and maintains



discipline.

Having regard to the submissions noted hereinabove and on finding that the petitioner was a juvenile aged about 16 years 1 month at the relevant time and presently she has attained majority, there is no adverse report against her in the social investigation report, this Court sets aside the impugned order 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, Siwan in connection with Juvenile Enquiry No.237/2021 arising out of G.B. Nagar P.S. Case No.84 of 2017.

This application stands disposed of.

The certified copy of the order will be made available only after removal of the defects, as pointed out by the office.

(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'.

