

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.738 of 2021

Arising Out of PS. Case No.-78 Year-2021 Thana- BAJPATTI District- Sitamarhi

XXX, Son of Kishor Mahato Resident of Village- Keshopur Dhadhi, P.S.- Bajapatti, District- Sitamarhi. Under the Guardianship of his Aunt Namely Janarsi Devi, Aged about 57 years, Gender Female, Wife Ramprit Mahto, Resident of Village- Ward No.03, Yogiwana, Jogbana, P.S.- Bathana, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Petitioner/s : Mr.Ayush Kumar, Advocate
For the Respondent/s : Mr.Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 29-06-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within three weeks from today.

Heard learned counsel for the petitioner and Mr. Ganesh Prasad Singh, learned APP for the State.

This revision application is directed against the order dated 04.10.2021 passed by learned 1st Additional Sessions Judge-cum-Special Judge (Children's Court), Sitamarhi in Cr. Appeal (Juvenile) No. 27 of 2021 whereby and whereunder the order dated 24.06.2021 rejecting bail of the petitioner by learned Juvenile Justice Board, Sitamarhi in J.J. Board Case No. 1159 of 2021 arising out of Bajpatti P.S. Case No. 78 of 2021 registered for the offences punishable under Sections 147/148/149/353 of the



Indian Penal Code and Section 30(A) of the Bihar Prohibition and Excise Act, 2016 has been affirmed.

Learned counsel for the petitioner submits that the petitioner has been declared juvenile by the Juvenile Justice Board, Sitamarhi aged about 13 years 10 months and 14 days on the alleged date of occurrence and he has remained in the observation home since 01.04.2021 and his father is ready to stand as a surety and 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, he 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 submissions that this petitioner has been adjudged juvenile aged about 13 years 10 months and 14 days, he has remained in the observation home since 01.04.2021 as also that his father is ready to stand as a surety and furnish an undertaking as mentioned hereinabove, 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, Sitamarhi in



connection with J.J. Board Case No. 1159 of 2021 arising out of Bajpatti P.S. Case No. 78 of 2021.

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

And it is further ordered that the Probation Officer attached to the Juvenile Justice Board, Sitamarhi 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)

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'.

