

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.768 of 2021

Arising Out of PS. Case No.-41 Year-2021 Thana- CHANDAUTI District- Gaya

XXX, S/o Indradev Paswan, Under guardianship of his mother namely Munni Devi, W/o Indradev Paswan, resident of Village- Krit Nawada, P.S.- Chandauli, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr.Adv.
Mr.Bhaskar Shankar, Adv.

For the Respondent/s : Mr.Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 22-06-2022 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 senior counsel for the petitioner and learned APP for the State.

Petitioner in the present case is seeking setting aside of the judgment dated 25.09.2021 passed by the learned Special Judge (Children Court), Gaya in Cr.Appeal (Juvenile) No.56/2021 (CIS) arising out of Chandauti P.S. Case No.41/2021 registered under Sections 457 and 380 of the Indian Penal Code whereby and whereunder the order of rejection of bail of petitioner passed by the Juvenile Justice Board, Agya vide G.R.No.570/2021, Misc.170/2021 on 07.08.2021 has been



affirmed and appeal has been dismissed.

Learned counsel senior counsel for the petitioner submits that as per the prosecution story on 04.02.2021 at about 2.30 am theft has been committed by the unknown thieves and they have looted away 8 to 10 kgs jewelry of silver, 100 to 125 gms jewelry of gold and Rs.50,000/- in cash from the jewelry shop of the informant.

Learned senior counsel for the petitioner submits that the petitioner is not named in the First Information Report and his name has transpired during the investigation on mere suspicion. Learned senior counsel submits that the petitioner has been adjudged juvenile aged about 17 years 10 months and 14 days on the alleged date of occurrence. It is submitted that the petitioner is in observation home since 26.07.2021.

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

Having regard to the facts and circumstances of the case in which it appears to the Court that the petitioner being a juvenile is getting involved in the commission of the serious offences and has already been made accused in 7 cases all under Sections 395 of the Indian Penal Code, in the opinion of this Court the interest of the petitioner lies in keeping him in the



observation home/safety home, as the case may be, for the present.

The submission that in the present case the petitioner has remained in the observation home since 26.07.2021 is not sufficient to take a view to release the petitioner.

This application is, thus, dismissed.

(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'.

