

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1372 of 2019

Arising Out of PS. Case No.-183 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

(XXXX) Through His Father And Natural Guardian Shashi Shekhar Pandey,
Male, Aged About- 56 Years, Son Of Late Chandeshwar Pandey, Resident Of
Village- Basahi, Chak Hafiz, P.S.- Janta Bazar, District- Saran At Chapra.
... .. Petitioner

Versus

The State of Bihar Respondent

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
Smt. Divya Bharti, Advocate
For the Respondent/s : Mr. Chandra Sen Prasad Singh, APP

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 the Stamp Reporter
within four weeks after start of normal functioning of the Court.

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

This revision application is directed against the order
dated 23.09.2019 passed by learned 1st Additional Sessions
Judge-cum-Special Judge (Children's Court), Sitamarhi in Cr.
Appeal No. 45 of 2019/16 of 2019 whereby the order rejecting
bail of the petitioner by learned Principal Magistrate, Juvenile
Justice Board, Sitamarhi in J.J. Board Case No. 848 of 2019
(G.R. No. 1935 of 2019) arising out of Runnisaidpur P.S. Case
No. 183 of 2019 registered for the offences punishable under
Sections 399, 402, 414 of the Indian Penal Code and Sections



25(1-b)a, 26, 35 of the Arms Act has been affirmed.

Learned counsel for the petitioner submits that the petitioner who was found aged about 16 years 3 months on the date of alleged occurrence. It is alleged that from his possession one country-made pistol, a live cartridge, two master keys of bike and a mobile have been recovered.

It is further submitted that the petitioner has already remained in observation home for a period of more than 3 years in connection with this case. It is his submission that the father of the petitioner is ready to give 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 though opposed the prayer for bail of the petitioner but considering that the petitioner is a juvenile and has already remained in custody for over 3 years and further his father is ready to give 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 Principal Magistrate, Juvenile Justice Board, Sitamarhi in connection with J.J. Board Case No. 848 of 2019 (G.R. No. 1935 of 2019) arising out of Runnisaidpur P.S. Case No. 183 of 2019.

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)

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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'.

