

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.463 of 2023

Arising Out of PS. Case No.-199 Year-2022 Thana- MAIRWAN District- Siwan

(XXX), son of Hardeo Yadav @ Hardev Chaudhary, Resident of Village- Pukhrera PS- Mairwa, District-Siwan, under the guardianship of his father Hardeo Yadav @ Hardev Choudhary, son of Dinanath Chaudhary.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar Tiwary, Advocate
For the State : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 24-11-2023 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner in the present case is seeking setting aside of the order dated 08.05.2023 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Siwan in Cr. Appeal No. 08 of 2023 whereby and whereunder the order dated 14.10.2022 rejecting bail of the petitioner by learned Juvenile Justice Board, Siwan in G.R. No. 2005 of 2022, Mairwa P.S. Case No. 199 of 2022, Juvenile Enquiry Case No. 532 of 2022 registered for the offences punishable under Sections 392, 302 of the Indian Penal Code and Section 27 of the Arms Act has been affirmed.

3. Learned counsel for the petitioner submits that the petitioner is not named in the FIR but his name has transpired in course of investigation on the basis of the disclosures said to have



been made by the spy of the police. It is submitted that the petitioner has been adjudged juvenile aged about 17 years 2 months and 29 days on the alleged date of occurrence and he is in observation home since 18.07.2022.

4. Learned counsel submits that even as the petitioner has got six criminal antecedents, in all the cases except one, he is on bail.

5. On the other hand, learned APP for the State has opposed this application. It is submitted that on a bare perusal of the order of the learned Children Court, Siwan, it would appear that the social investigation report of the petitioner clearly provides that he has got huge criminal antecedents of being involved in commission of heinous crimes and he is not in good company.

6. Having heard learned counsel for the petitioner and the State as also on perusal of the impugned order, it would appear that the social investigation report of the petitioner is very poor and he has got huge criminal antecedents. The report states that because of the involvement of the petitioner in the commission of offences, the local people are afraid and despite his having been apprehended on several occasions, he has indulged in commission of heinous offences and on one occasion, he has also fled away from the observation home, he involved in the alleged loot of the



bank.

7. Taking note of this information available in the social investigation report of the petitioner, this Court is of the considered opinion that the interest of the petitioner lies in his continuing in the place of safety.

8. This application is dismissed.

(Rajeev Ranjan Prasad, J)

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