

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.541 of 2022

Arising Out of PS. Case No.-37 Year-2021 Thana- SIKTA District- West Champaran

Manish Kumar Son of Chandeshwar Kunwar R/v- Patbandhi, Babu Tola, P.S-
Majhauriya, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ram Adya Singh, Adv.

For the Respondent/s : Mr. Dr. Indivar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 20-03-2023

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

The present Cr. Revision petition is being filed to
release the petitioner who has been made accused U/Ss 420,
467, 468, 471, 489A, 489B, 489C, 120B of the I.P.C. read with
Section 13 of U.A.P.A. Act against the order dated 05.07.2022
in Cr. Appeal No. 31/2022 and order dated 18.05.2022 in J.J.B.
Case No. 707/2022(arising out of Sikta P.S. Case No. 37 /2021).

As per the content of F.I.R., the petitioner was
caught on motorcycle bearing fake currency notes coming from
Nepal.

Counsel for the petitioner submits that the
petitioner is a juvenile aged about 7 years. He is basically an

electrician and doing private job. Counsel submits that Social Inquiry Report of the petitioner is annexed in which it has come that petitioner has learnt the work of electrician since childhood. It has come that due to poor financial condition of the petitioner, this petitioner may have done the said work. It has also come in the report that intellectual level of the petitioner is much higher than the normal child. He has started earning for the family prior to majority and in a position to do the electrician work independently without help of others. His interaction with other children, teachers and friends are normal. It also transpires that there were economic pressure on him. His family and neighbours have recommended about his behaviour as completely normal, intellectual, mature and expert in his field.

In the said report, good appraisal has made relating to his future. Recommendation has been made in the report that he need care under the supervision of someone. Counsel for petitioner submits that his father is ready to file undertakings for the care and supervision of the petitioner.

Counsel for State submits that the S.I.R. report of the petitioner is positive and he may be released upon periodical supervision of Protection Officer.

Upon considering the facts and circumstances of this case, this court is directed to release the petitioner on the undertakings of his father and on further undertakings that he along with his father shall visit every month to the Protection Officer.

With this direction, this court is directed to release the petitioner from the remand room and order dated 05.07.2022 passed in Cr. Appeal No.31/2022 and order dated 18.05.2022 passed in J.J.B. Case No. 707/2022(arising out of Sikta P.S. Case No. 37/2021) are set aside.

With this observation, this Cr. Revision is hereby set aside.

(Dr. Anshuman, J.)

prakashmani/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	