

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL REVISION No.526 of 2023**

Arising Out of PS. Case No.-89 Year-2022 Thana- CHANDAN District- Banka

XXX S/o Late Dindayal Yadav, R/o Vill.- Udaypura, P.S.- Rikhiya, Dist.- Deoghar (Jharkhand) under the natural guardianship of his mother namely Bebi Devi age about 35 yrs. Female, W/o Late Dindayal Yadav, R/o Vill.- Udaypura, Near Durga Mandir, P.S.-Rikhiya, Dist.-Deoghar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                    |   |                                                                   |
|--------------------|---|-------------------------------------------------------------------|
| For the Petitioner | : | Mr. Rana Pratap Singh, Advocate<br>Mr. Sanjay Kumar Jha, Advocate |
| For the State      | : | Mr. Narendra Kumar Singh, APP                                     |

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

5      24-11-2023                      Heard learned counsel for the petitioner and Mr. Narendra Kumar Singh, learned APP for the State.

2. Petitioner in the present case is seeking setting aside of the order dated 16.03.2023 passed by learned Additional Sessions Judge-I-cum-Children Court, Banka and the order dated 09.12.2022 passed by learned Principal Magistrate, Juvenile Justice Board, Banka in G.R. No. 1287 of 2022 arising out of Chandan P.S. Case No. 89 of 2022.

3. Learned counsel for the petitioner submits that as per the prosecution story, the petitioner along with co-accused had given repeated knife blow on the deceased as also the informant who got injured in the alleged occurrence. The informant who is injured and has survived has stated that this



petitioner had also chased him and given a knife blow on his neck.

4. Learned counsel for the petitioner submits that the petitioner is a student and if released on bail his mother is ready to furnish undertaking that she will not allow him to fall in bad company.

5. Learned APP for the State has opposed the prayer for bail of the petitioner. Referring to the social investigation report of the petitioner, learned counsel submits that the father of the petitioner was murdered allegedly due to his involvement in criminal acts. The report further says that the petitioner did not pass intermediate examination and further that he is not in the control of his mother, therefore, under these circumstances, the interest of the petitioner lies in keeping him for some more time in the place of safety.

6. Having regard to the facts and circumstances of the case, after going through the observations of the Probation Officer in the social investigation report of the petitioner, this Court is of the considered opinion that the interest of the petitioner lies in keeping him in the special home for some more time and provide him some psychological help to bring him back in the mainstream of the society.



7. For the present, the prayer for bail is refused. Let the learned Additional Sessions Judge, I-cum-Children Court, Banka make all endeavours to conclude the trial as early as possible and preferably within a period of six months from the date of communication of this order.

8. This application is dismissed.

**(Rajeev Ranjan Prasad, J)**

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