

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.851 of 2022

Arising Out of PS. Case No.-121 Year-2022 Thana- PIPRA District- Supaul

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Raja Kumar @ Raja Mandal, Son of Brahamdeo Mandal, R/V- Chhapki Rehi,
Ward No. 5, Ram Bishanpur, P.S- Raghapur, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha
For the Respondent/s : Mr. Raj Kishor Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-02-2023 Heard learned counsels for the parties.

The present application has been filed against order dated 21.09.2022, passed by learned Additional Sessions Judge 1st-cum-Special Judge (Juvenile Court), Supaul in Cr. Appeal No. 9 of 2022 as well as order dated 11.05.2022 passed by learned Principal Magistrate, Juvenile Justice Board, Supaul in G. R. No. 795 of 2020 whereby both the Courts rejected the prayer for bail made on behalf of the petitioner in connection with Pipra P. S. Case No. 121 of 2020 (G. R. No. 795 of 2020).

Age of the petitioner has been assessed as 15 years 6 months and 2 days on the alleged date of occurrence. Both learned Additional Sessions Judge 1st-cum-Special Judge (Juvenile Court) and Juvenile Justice Board have rejected the bail application of the petitioner on the ground of Social



Investigation Report which reflects that there is likelihood of his falling back in the company of anti-social elements, if released on bail.

Social Investigation Report appears to be vague and based on no evidence. It does not disclose the identity of known criminals in whose company, petitioner is likely to fall. Petitioner has got clean antecedent and he is in observation home since 15.02.2022.

For the aforesaid reasons, order dated 21.09.2022, passed by Additional Sessions Judge 1st-cum-Special Judge (Juvenile Court), Supaul in Cr. Appeal No. 9 of 2022 as well as order dated 11.05.2022 passed by Principal Magistrate, Juvenile Justice Board, Supaul in G. R. No. 795 of 2020 are, hereby, set aside and this criminal revision application is allowed.

Accordingly, the above-named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Principal Magistrate, Juvenile Justice Board, Supaul in G. R. No. 795 of 2020 arising out of Pipra P. S. Case No. 121 of 2020, subject to condition that one of the bailor



will be father of the petitioner and he (father of the petitioner) would file an affidavit giving an undertaking to the effect that he will take care of good behaviour and child’s (petitioner’s) well-being and will not allow him to go in the company of bad elements.

(Prabhat Kumar Singh, J)

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