

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No 209 of 2024

Arising Out of PS. Case No.-88 Year-2021 Thana- GRIYAK District- Nalanda

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Babloo Kumar @ Ritik Kumar Son of Suresh Ravidas Resident of Village-
Palani, P.S.-Manpur, District-Nalanda, under guardianship of his uncle
Rajendra Ravidas

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Anil Chandra

For the Respondent/s : Mr.Anil Prasad Singh

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CORAM: HONOURABLE MR JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

4 31-08-2024

Heard.

2 This revision petition has been preferred by the petitioner (juvenile) being aggrieved with the order dated 23.11.2023 passed by the Children Court -cum- learned Additional Sessions Judge I, Nalanda at Biharsharif in Juvenile Appeal No 2 of 2023 whereby the prayer for bail of the petitioner has been rejected by the appellate Court and the appellate Court also affirmed the order of the JJB, Nalanda at Biharsharif dated 28.06.2023 in connection with JJB Case No 204 of 2023 arising out of Giriyak Katrisarai PS Case No 88 of 2021.

3 According to the case of the prosecution, a written report has been lodged by the father of the victim girl on 25.02.2021 regarding missing of his daughter aged about 14 – 15 years. On the basis of said, initially offence under Sections



363, 366A of IPC and Sections 8/12 of the POCSO Act has been registered. The victim girl returned and her statement was recorded and on the basis of her statement, offence under Section 376 (DA) of the IPC, Sections 3/4 of POCSO Act and Section 5 of the I T Act has also been added. During the course of investigation, the petitioner has been arrested on 28.04.2023. He filed a petition before the JJB which has been dismissed vide order dated 28.06.2023. Being aggrieved with the said order, appeal has been filed by the petitioner which has also been dismissed by the appellate Court by the impugned order.

4 The learned counsel for the petitioner would submit that the petitioner is innocent and has falsely been implicated in this case. In fact, there was a love affair between the victim and the petitioner and due to that, the victim girl herself left the house enjoying the company of the petitioner. Learned counsel for the petitioner further submits that the victim girl was examined by the Medical Board on 10.05.2021 and the Medical Board has not supported the case of the prosecution. It is further submitted by the learned counsel for the petitioner that the petitioner is a juvenile and is in the Observation Home since 28.04.2023 meaning thereby he has already completed more than one year and four months in the Observation Home. Social



Investigation Report also does not suggest anything against the petitioner. There is no any antecedent against the petitioner.

5 Learned counsel for the State opposes the prayer for bail.

6 Considering the submission of the counsel and further considering the fact that the petitioner is in custody since 28.04.2023, the petitioner is granted the privilege of bail.

7 Accordingly, this revision petition is allowed.

8 Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Children Court -cum- learned Additional Sessions Judge I, Nalanda at Biharshaif in JJB Case No 204 of 2023 subject to the following conditions:

(i) That one of the bailors should be the uncle of the petitioner; and

(ii) That the uncle of the petitioner shall file an affidavit before the concerned Court below, giving specific undertaking that after release of the petitioner on bail, he will take proper care of the petitioner and will not allow him to fall into bad company.

(Arvind Singh Chandel, J)

M.E.H./-

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