

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No 596 of 2024

Arising Out of PS. Case No.-954 Year-2023 Thana- Excise P.S. District- Aurangabad

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Akash Dey Son of Pradeep Dey Village- Dhurwa Bus Stand D.T. 321 Ward
No. 39 PS- Dhurwa Dist- Ranchi (Jharkhand) under the guardianship of his
mother Kajul Dey @ Kajal Dey Age About 39 Years Female Wife Of Pradeep
Dey Mohalla- in front of D.T. 321 Jhopri Bus Stand, Dhurwa PS Dhurwa,
Dist- Ranchi, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Respondent/s : Mr. Brajendra Nath Pandey

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CORAM: HONOURABLE MR JUSTICE ARVIND SINGH CHANDEL

ORAL ORDER

4 20-09-2024 Heard.

2 This revision petition has been preferred by the petitioner (juvenile) being aggrieved with the judgment dated 07.06.2024 passed by the learned Additional Sessions Judge I, Aurangabad in Criminal Appeal No 25 of 2024 whereby and where under the learned Appellate Court affirmed the order of the JJB, Aurangabad dated 12.03.2024 passed in Aurangabad Excise PS Case No 954 of 2023 registered for the offence punishable under Sections 20 (b), 22 of the NDPS Act and rejected the prayer for bail of the petitioner.

3 According to the case of the prosecution, at the time of vehicle checking, it was found that two persons were fleeing



away seeing the police party. However, they were caught by the raiding party who disclosed their names. Allegedly, from the possession of the present petitioner, who is a juvenile, 8 Kgs of Ganja was recovered which was seized and he has been taken into custody.

4 Learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. He has no criminal antecedent. The seized Ganja is only 8 Kgs which is not a commercial quantity. Mandatory provisions of NDPS Act have not been complied with. Lastly, he submits that SI Report also does not suggest anything against the petitioner. He is in the Observation Home since 30.12.2023.

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

6 Considering the fact that SI Report of the petitioner does not suggest anything against him and he is in custody since 30.12.2023, 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 Juvenile Justice Board, Aurangabad in Aurangabad Excise



PS Case No 954 of 2023 subject to the following conditions:

(i) That one of the bailors should be the mother of the petitioner, and

(ii) That the mother of the petitioner shall file an af.fidavit before the concerned Court below, giving specific undertaking that after release of the petitioner on bail, she 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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