

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.669 of 2024

Arising Out of PS. Case No.-279 Year-2023 Thana- GANGABRIDGE District- Vaishali

Gaurav Kumar, Son of Shri Randhir Das, Resident of village- Saifpur, PS- Ganga Bridge, Distt- Vaishali. Under the natural Guardianship of the mother namely Snaju Devi aged about 37 years femaly wife of Sri Randhi Das, Resident of Village Saifpur, P.S.-Ganga Bridge, Distt.- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jiro Devi, Wife of Late Horil Rai, R/V- Village- Shahpur, P.S.- Ganga Bridge, Distt.- Vaishali

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shanti Bhushan Singh, Advocate
For the Respondent/s	:	Mrs.Asha Kumar, APP
For the O.P. No. 2	:	Mr.Ram Vinay Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

4 26-06-2025 The petitioner is a juvenile in conflict with the law. He is arrested in connection with Gangabridge P.S. Case No. 279 of 2023 dated 18th of December, 2023, under Section 302 and 34 of the IPC. His prayer for bail was rejected by the J.J.B. as well as learned Special Judge, Children Court in appeal on the grounds that the petitioner is a habitual offender and he is connected with a heinous offence.

2. The incident took place on 17th December, 2023. The informant is the mother of the deceased. She saw the deceased sitting with Bindeshwa Rai, Randhir Kumar, and Gaurav Kumar (the petitioner herein) at the house of Bindeshwa



Rai at around 3:00 P.M. She asked him to return home, to which the deceased responded that he would come after some time. Thereafter, the deceased was found missing during the late hours of the night. On the night of 17th/18th December, 2023, the victim was found with stab injuries on his person. He was taken to a local hospital, from where he was referred to PMCH. The Medical Officer at PMCH declared him dead.

3 It is contended on behalf of the petitioner that the informant is not eyewitness of the occurrence. She last saw the deceased in association with the juvenile delinquent at about 03:00 P.M. Subsequently, the deceased was found at about 11:00 P.M. There is a long gap between 03:00 P.M. and 11:00 P.M. and no explanation is given by the prosecution that the deceased was in association with the juvenile till he received fatal injury. Therefore, the theory of 'last seen together' is, prima facie, not applicable against the juvenile delinquent.

4. On the other hand, this Court finds from the orders passed by the JJB as well as the learned Special Judge that the juvenile is so much addicted to narcotic substance that he was admitted to “Nasha Mukti Kendra”. He has not been fully recovered from his addiction to drugs. His father also a drug addicted .



5. Considering such circumstances, this Court is of the view that for the betterment and best interest of the juvenile, he should not be released on bail.

6. Prayer for bail of the juvenile is, thus, considered and rejected.

(Bibek Chaudhuri, J)

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