

(2021) 02 JH CK 0081

In the Jharkhand High Court

Case No : Criminal Revision No. 685 Of 2020

Gyan Kumar Singh

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 10-02-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 201, 302
Arms Act, 1959 — Section 27

Citation : (2021) 02 JH CK 0081

Hon'ble Judges : Amitav K. Gupta, J

Bench : Single Bench

Advocate : A. K. Kashyap, Sanjay Kumar, Rakesh Ranjan

Final Decision : Allowed

Judgement

1. This revision is directed against the judgment/ order dated 28.07.2020, passed by the court of learned Additional Sessions Judge -I -cum- Special

Judge, Dumka in Criminal Misc. Appeal No.06 of 2020, whereby the prayer for bail of the petitioner/ juvenile (in conflict with law) has been rejected

in connection with Enquiry No.123 of 2020, arising out of Shikaripara P.S. Case No.97 of 2018, corresponding to G.R. No.531 of 2019, registered

under Sections 302/ 201/ 34 of the Indian Penal Code and Section 27 of the Arms Act.

2. Heard learned senior counsel for the petitioner and learned A.P.P. On perusal of the impugned order and the case diary, it appears that the

petitioner has been made an accused on the basis of the confessional statement of the co-accused, Nitish Kumar Jha and one Shivam Kumar

Burnwal. No incriminating materials were recovered from the possession of the petitioner. Petitioner has also been granted bail in connection with

Deoghar (T) P.S. Case No.760 of 2018 and Deoghar (T) P.S. Case No.508 of 2018, by the court below.

Having regard to the fact that the petitioner has been made an accused on the basis of the confessional statement of the co-accused, the petitioner is

directed to be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of

learned Principal Magistrate, Juvenile Justice Board, Dumka, in connection with Enquiry No.123 of 2020, arising out of Shikaripara P.S. Case No.97

of 2018, corresponding to G.R. No.531 of 2019, on the condition that one of the bailors shall be a close relative/ natural guardian, who shall give an

undertaking (i) to ensure the good behaviour of the petitioner, (ii) to ensure that the juvenile petitioner does not come in contact with any anti- social

elements, and (iii) produce the juvenile/petitioner before the Probation Officer as and when directed by the Board. The Probation Officer shall submit

the supervision report to the Board for needful.

3. In case of any adverse report, the Board is at liberty to pass necessary order in accordance with the provisions of the Juvenile Justice (Care and

Protection of Children) Act, 2015. The petitioner/juvenile shall co-operate and be present before the Board as and when directed, till conclusion of the enquiry.

4. With the aforesaid direction, the revision is, hereby, allowed.