
(2021) 04 JH CK 0092
In the Jharkhand High Court
Case No : Criminal Revision No. 05 Of 2021

Sagar Kumar

APPELLANT

Vs

State Of Jharkhand And Anr

RESPONDENT

Date of Decision : 09-04-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 201, 302

Citation : (2021) 04 JH CK 0092

Hon'ble Judges : Amitav K. Gupta, J

Bench : Single Bench

Advocate : Rakesh Kumar Gupta, Ashok Singh

Final Decision : Allowed

Judgement

1. The revision is directed against the order dated 22.10.2020, passed by the court of the learned District & Additional Sessions Judge-I, Koderma in Cr. Appeal (Spl. Children Court) No. 17 of 2020, rejecting the prayer for grant of bail to the petitioner (juvenile in conflict with law) in Telaiya P.S. Case No. 38 of 2020 corresponding to G.R. No. 220 of 2020 registered under sections 302/201 read with section 34 of the Indian Penal Code.

2. Heard the learned counsel for the petitioner and the objection raised by the learned A.P.P.

3. The petitioner is named in the first information report, but, it appears that in similar circumstances, co-accused, Shyam Kumar @ Chhotu Kumar has been admitted to bail by this Court in Cr. Revision No. 698 of 2020 and another co-accused Pintu Kumar Chandrawanshi @ Pintu Kumar has been granted bail in B.A. No. 4307 of 2020 and the case of the petitioner is similarly situated to that of the aforementioned co-accused, who have been admitted to bail.

Having regard to the facts and circumstances of the case, the petitioner is directed to be released on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten thousand only) with two sureties of the like amount each to the satisfaction

of learned Principal Magistrate, Juvenile Justice Board, Koderma in connection with Telaiya P.S. Case No. 38 of 2020 corresponding to G.R. No. 220 of 2020, on the condition that one of the bailors shall be his close relative/natural guardian, who shall give an undertaking (i) to ensure the good behavior of the petitioner, (ii) he shall ensure that the juvenile petitioner does not come in contact with any anti-social element, and

(iii) to produce the petitioner before the Probation Officer as and when directed by the Board. The Probation Officer shall submit the supervision report to the concerned Board for needful.

If any adverse remark is brought forth before the Board, it shall pass necessary order in accordance to the provisions of Juvenile Justice (Care and Protection of Children) Act, 2015. The petitioner shall co-operate in the enquiry before the Board.

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