

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**Criminal Revision No.37 of 2021**

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Motilal Laguri	...	...	<b>Petitioner</b>
<b>Versus</b>			
The State of Jharkhand	...	...	<b>Opposite Party</b>

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**CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR**

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For the Petitioner	: Mr. Anjani Kumar, Adv.
For the State	: Mr. Santosh Kr. Shukla, A.P.P.

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The matter was taken up through Video Conferencing. Learned counsel for the parties had no objections with it and submitted that the audio and video qualities are good.

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**04/09.09.2021:** The instant revision application has been filed against the impugned order dated 22.10.2020 passed by the learned Additional Sessions Judge-I, West Singhbhum at Chaibasa in Criminal Appeal No.07 of 2020 filed against the order dated 15.02.2020 passed by the learned Principal Magistrate, Juvenile Justice Board, Chaibasa in connection with Jhinkpani P.S. Case No.29 of 2019 corresponding to Special (POCSO) Case No.41 of 2019 for the offence under Sections 376(3) of the Indian Penal Code and Sections 4 and 8 of the POCSO Act, in which, the charge-sheet was submitted under Sections 376(3) and 376(2)(n) of the Indian Penal Code and Sections 4 and 6 of the POCSO Act, whereby and whereunder the prayer for release of the juvenile-petitioner on bail has been rejected. The case is now pending in the court of the learned Principal Magistrate, Juvenile Justice Board, Chaibasa.

It is submitted by the learned counsel for the petitioner that the petitioner has approached this Court through his mother who is ready and willing to keep this juvenile in her proper care. As per the allegation, this juvenile has love affair with the victim-girl aged about 14 to 15 years. The juvenile is custody since 01.09.2019. Investigation is complete. On the basis of above facts, prayer for bail has been made.

On the other hand, learned counsel for the State has opposed the prayer for bail.

Considering the nature of allegation and the age of the parties and social investigation report, the Court is of the opinion that the juvenile should be released in favour of the mother who is the *pairwikar* in the

present case. Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Principal Magistrate, Juvenile Justice Board, Chaibasa in connection with Jhinkpani P.S. Case No.29 of 2019 corresponding to Special (POCSO) Case No.41 of 2019, subject to condition that one of the bailors should be the mother of the petitioner.

Further, concerned Probation Officer is directed to report once in a month, to the Juvenile Justice Board, Chaibasa regarding the upkeeping of the minor.

Accordingly, instant criminal revision being Criminal Revision No.37 of 2021 is allowed and the impugned order dated 22.10.2020 passed by the learned Additional Sessions Judge-I, West Singhbhum at Chaibasa in Criminal Appeal No.07 of 2020 is, hereby, set aside.

**(Rajesh Kumar, J.)**

Amar/-