

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.19029 of 2016**

Arising Out of PS.Case No. -13 Year- 2012 Thana -SC/ST PS District- SUPAUL

1. Raushan Kumar Son of Sri Prakash Kumar @ Prakash Ram Resident of  
Railway Colony, Ward No. 10, P.S. and District - Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Alok Kumar

For the Opposite Party/s : Mr. Ram Shankar Das(App)

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**

**SHARAN SINGH**

**ORAL ORDER**

2 10-05-2016

Heard learned Counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,  
arises out of Supaul SC/ST Police Station Case No. 13 of  
2012, disclosing offences under Sections 341, 323, 379,  
504, 506/34 of the Indian Penal Code and Section 3 (i) (x)  
of the Schedule Castes and Schedule Tribes (Prevention of  
Atrocities) Act.

It has been stated on behalf of the petitioner  
that the petitioner is a juvenile.

Section 12 of Juvenile Justice (Care and  
Protection of Children) Act, 2000, describes that "*when any  
person accused of a bailable or non-bailable offence, and  
apparently a juvenile, is arrested or detained or appears or*

*is brought before a Board, such person shall, notwithstanding anything contained in the Code of Criminal Procedure, 1973, or in any other law for the time being in force, be released on bail .....".*

Since there is mandatory provision under Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2000, for grant of bail, this application for anticipatory bail cannot be entertained.

This application is accordingly rejected as not maintainable.

**(Chakradhari Sharan Singh, J.)**

Prabhakar Anand/-

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