

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3334 of 2019**

Arising Out of PS. Case No.-182 Year-2016 Thana- WARISLIGANJ District- Nawada

AMARJEET KUMAR @ AMARJEET KUMAR VERMA @ AMARJEET VERMA Son of Surendra Prasad @ Surendra Prasad Verma Under Natural Guardianship of Surendra Prasad @ Surendra Prasad Verma, Resident of Village - Chiraiyan, P.S.- Nardiganj, District - Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Maheshwar Prasad, Advocate.

For the Respondent/s : Mr.Binod Bihari Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

7 04-02-2020 Heard learned counsel for the parties.

This appeal has been preferred under Section 101(5) of the Juvenile Justice (Care and Protection of Children) Act, 2015, against the refusal of the prayer for bail of the appellant vide order dated 07.02.2019 passed in Children Case No. 38 of 2017 arising out of Warsaliganj P.S. Case No. 182 of 2016 registered under Sections 302, 201 and 120B of the Indian Penal Code whereby the Children Court, Nawada has refused to grant bail to the appellant.

Submission of learned counsel for the appellant is that on the merit of the case the adult accused Guddu Kumar has already been allowed bail by this Court in Cr. Misc. No. 57560 of 2017.



Considering the fact that the F.I.R. was lodged against unknown on recovery of dead body of the son of the informant and during investigation it revealed that the deceased had some affairs with Veena Devi, hence husband of Veena Devi namely Guddu Kumar has allegedly committed her murder.

Only material against the present appellant is suspicion.

Aforesaid facts have not been considered by the learned Children Court nor Children Court considered the objective of the statute where under grant of bail to a juvenile is a rule irrespective of the nature and seriousness of the allegation.

Hence, the impugned order is set aside and this appeal is allowed.

The appellant, above named, is directed to be released at once on execution of surety bond by either of the parents of the appellant giving undertaking that they shall keep proper care and upkeep of the appellant and shall fully cooperate in the pending matter before the Children Court.

(Birendra Kumar, J)

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