

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1141 of 2019

Arising Out of PS. Case No.-24 Year-2019 Thana- LAKHISARAI District- Lakhisarai

Sandeep Kumar, Son of Arjun Mahto, Resident of Village- Abgil, Hussaina,
P.S.- Medni Chauki, Dist- Lakhisarai. Petitioner is under the Guardianship of
his mother namely Lalita Devi, wife of Arjun Mahto

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Bhim Sen Prasad

For the Respondent/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 28-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner in the present case is said to be a juvenile
and is seeking setting aside of the appellate order dated
03.08.2019 passed by Additional District and Sessions Judge-
1st-cum-Children Court, Lakhisarai in Criminal Appeal No.25
of 2019 and upon setting aside of the impugned order the
petitioner prays for release on bail in connection with Lakhisarai
(Kabaiya) P.S. Case No.24 of 2019.

Learned counsel for the petitioner submits that
allegedly from the possession of this petitioner one loaded
country made pistol and one cartridge and one mobile phone
was recovered. It is submitted that nothing has been recovered



from the possession of this petitioner and on the confession of the co-accused Md. Sonu five persons were apprehended by the police on mere suspicion including this petitioner and out of them co-accused Mithun Kumar, Mukesh Kumar and Rajnish Kumar have been released on bail by various orders passed by learned coordinate Benches of this Court as contained in Annexure-2.

Learned counsel has further placed before this Court a xerox copy of the admit card issued by the Bihar School Examination Board showing that the petitioner is a candidate registered to appear in such exam which is scheduled to be held from 3rd February, 2020.

Learned APP for the State has submitted that the bail plea of the petitioner was rejected taking a view that he is likely to go in the company of the criminals. Learned counsel for the petitioner, however, submits that the mother of the petitioner will file an affidavit in the court below that she would keep the petitioner with her and take care of petitioner and shall not allow him to go in the company of the criminals and undertaking to that effect has been given in the present petition.

Considering the facts and circumstances of the case as stated above and the submission that the petitioner is in



observation home since 13.01.2019, co-accused have been granted bail by learned coordinate Benches of this Court and that the intermediate examination of the petitioner is going to be held from 3rd February, 2020, this Court directs release of the petitioner on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of Juvenile Justice Board, Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case No.24 of 2019, subject to the condition that the mother of the petitioner shall furnish an undertaking that she will keep vigil over the petitioner and would protect him from falling in bad company.

(Rajeev Ranjan Prasad, J)

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