

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1311 of 2019

Arising Out of PS. Case No.-206 Year-2018 Thana- JADIA District- Supaul

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NILESH KUMAR @ NILESH KUMAR GULSAN Son of Rajendra Singh
Resident of Mohalla-Jai Prakash Nagar, P.S. and District-Madhepura through
his legal guardian (father), namely, Rajendra Singh, Son of Late Gaya Singh,
Resident of Mohalla-Jai Prakash Nagar, P.S. and District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh
For the Respondent/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 21-01-2020 By means of this revision, the petitioner has questioned the legality of the order dated 23.09.2019 passed by 1st Additional Sessions Judge-cum-Special Judge, Supaul in G.R. No. 2417 of 2018/ E.R. No. 204 of 2019 arising out of Jadiya P.S. Case No. 206 of 2018, whereby and whereunder the prayer for bail of the petitioner has been rejected.

Learned counsel for the petitioner submits that the order passed by the Court below is illegal and arbitrary. The



Court below has not considered the provisions of Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 in its true spirit. It is further submitted that there is nothing on the record to indicate that after being released on bail there is likelihood of the petitioner coming into association with any known criminal or his release would expose him to moral, physical or psychological danger or his release would defeat the ends of justice. It is settled law that gravity of offence will not be considered while deciding bail application of a juvenile.

Having heard the submissions advanced on behalf of the parties and considering the facts and circumstances of the case, with a hope that he may recover himself after being released on bail, this Court feels it expedient in the interest of justice that his prayer for bail be allowed.

In view of the discussions made above, this revision is allowed. The impugned order is quashed and the petitioner, above named, is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge, Supaul in connection with G.R. No. 2417 of 2018/ e.R. No. 204 of 2019



arising out of Jadiya P.S. Case No. 206 of 2018 subject to the condition that father of the petitioner will take care of his education and betterment and will not allow him to indulge in any criminal activity and will keep constant check on his activities. Both the sureties are directed to be close relatives of the petitioner.

(Arvind Srivastava, J)

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