

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1324 of 2019

Arising Out of PS. Case No.-123 Year-2018 Thana- AMAS District- Gaya

Abhishek Kumar @ Chhotu Kumar @ Chhotu Kumar Chaudhary, Son of Ram Swaroop Chaudhary, Resident of Village- Bihargain, P.S. - Raushanganj, District- Gaya through his Guardianship namely the brother, Rahul Kumar, aged about 24 years (Male), Son of Ram Swaroop Chaudhary, Resident of Village - Bihargain, P.S.- Raushanganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate

For the Respondent/s : Ms.Nirmala Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 23-01-2020 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The present revision application has been preferred against the order dated 24.09.2019 passed by learned court of Special Judge (Children Court), Gaya in Criminal Appeal (Juvenile) No.68/2019(CIS) as well as the order dated 30.08.2019 passed by learned Juvenile Justice Board, Gaya, in Amas P.S. Case No.123 of 2018, whereby and whereunder the learned Juvenile Justice Board, Gaya has rejected the prayer for bail of the petitioner under Juvenile Justice (Care & Protection of Children) Act, which the learned appellate court has upheld under the order dated 24.09.2019.

Learned counsel for the petitioner submits that



though the petitioner has been declared to be a juvenile by the Juvenile Justice Board, but his bail application was rejected on 30.08.2019, as this petitioner was apprehended on the confessional statement of co-accused. It has been submitted that though it has been held that the petitioner is a child in conflict with law, his prayer for bail has been rejected in violation of the provisions of Section 12 of the J.J.B. Act and the rules framed thereunder.

Considering the aforementioned facts and circumstances, let the above named petitioner, a juvenile, be released, on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Juvenile Justice Board, Gaya, in connection with Amas P.S. Case No.123 of 2018, in favour of his father, who shall keep him under his guardianship and produce him as and when required.

In the result, the revision application is allowed and the impugned order dated 24.09.2019 and 30.08.2019 are set aside.

(Anjana Mishra, J)

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