

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.171 of 2021

Arising Out of PS. Case No.-123 Year-2020 Thana- TEGHRHA District- Begusarai

RITESH KUMAR aged about 17 years Son of Mukesh Singh Resident of
Village - Gaura, P.S.- Teghara, District - Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Petitioner/s : Mr.Ashish Kumar, Advocate
For the Respondent/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-07-2021 Heard learned counsel for the petitioner and the State.

Instant Cr. Revision application is directed against order dated 6.11.2020, passed by the Additional Sessions Judge I cum PO Children Court, Begusarai in charge in Appeal No. 55 of 2020 as well as order dated 21.8.2020, passed by the JJB, Begusarai by which bail application of the petitioner has been rejected in connection with JJB Case No.76 of 2020/Teghara Police Station Case No. 123/2020.

Learned counsel for the petitioner submits that there is no specific allegation against the petitioner except he was present at the place of occurrence. He submits that petitioner's name was taken by co-accused Kanhaiya Kumar @ Banti, who



has already been allowed bail by a bench of this Court vide order dated 16.12.2020, passed in Cr.Misc.No. 32572/2020. Petitioner has been declared juvenile vide order dated 6.7.2020 and he is in custody since 25.5.2020.

Learned counsel for the State opposes the prayer for bail.

It appears that the court below has rejected the petitioner's prayer for bail on the ground that the petitioner belongs to poor family, mother has died and father is suffering from cancer, and as such, there is none to look after him. The said apprehension is based on surmises and conjecture without there being any evidence.

Considering the rival submissions of the parties, nature of allegation as also the fact that similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court, order dated 6.11.2020, passed by the Additional Sessions Judge I cum PO Children Court, Begusarai in charge in Appeal No. 55 of 2020 as well as order dated 21.8.2020, passed by the JJB, Begusarai are set aside. Accordingly, the petitioner as mentioned above, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of JJB, Begusarai in Cr.appeal no.55 of 2020/Begusarai Teghara Police



Station Case No. 123 of 2020.

(Prabhat Kumar Singh, J)

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