

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.455 of 2021

Arising Out of PS. Case No.-36 Year-2021 Thana- BAJPATTI District- Sitamarhi

ABHINAV KUMAR S/o Ram Pravesh Singh Resident of Village-
Mahammada (Mahmadda), P.S.- Bajpatti, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Petitioner/s : Mr.Yogendra Kr. Singh, Advocate

For the Respondent/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 05-10-2021 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner, in the present case, is seeking setting aside the order dated 25.06.2021 passed by learned 1st Additional Sessions Judge – cum – Special Judge, Children’s Court, Sitamarhi whereby and whereunder he has rejected the prayer of regular bail of the petitioner in connection with Bajpatti P.S. Case No. 36 of 2021 registered for the offence under Section 341, 323, 382, 504, 506/34 of the Indian Penal Code.

As per the prosecution story, while the informant and other persons were going to attend a marriage ceremony at village – Mahuain and when he reached near a private boring situated at ½ K.M. away from his house, four persons, who had wrapped their face with Gamcha were standing there and a motorcycle was parked there. The informant further alleged that suddenly



miscreants caught his kurta from behind and when his son came to rescue him the accused persons started assaulting the informant with fists and slaps, one of the accused persons had taken a country made gun, in the meantime, villagers assembled there and three miscreants had fled away by motorcycle and one person caught by the informant and handed over to police.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, he is a juvenile aged about 17 years 3 months and 18 days at the time of the alleged occurrence. Learned counsel submits that petitioner has got no criminal antecedent and he is in custody since 19.02.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner is said to be one of the accused who had participated in the alleged occurrence of scuffle with the informant and was caught hold of by the informant and then was handed over to police, the petitioner has been adjudged juvenile and the social investigation report of the petitioner indicates that the mother of the petitioner has already died whereas his father is working in the State of Jharkhand and the lack of parental guidance is the reason for the petitioner falling in the bad company and he required counseling, and the submission made on behalf of the petitioner



that the father of the petitioner is ready to give an undertaking that if released on bail he will take care of the petitioner and shall not allow him to fall in bad company, this Court sets-aside the impugned order and directs release of the petitioner above-named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge – cum – Special Judge, Children’s Court, Sitamarhi in connection with Bajpatti P.S. Case No. 36 of 2021 (G.R. No. 227/2021).

One of the bailors shall be the father of the petitioner who will furnish an undertaking that while on bail he would not allow the petitioner to come in contact with any anti-social element or a person of criminal antecedent.

The Probation Officer shall also be vigilant and will periodically submit his report to the Juvenile Justice Board, Sitamarhi, as regards the conduct of the petitioner.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading ‘Judicial Orders Passed During The Pandemic Period’.

