

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16164 of 2021

Arising Out of PS. Case No.-352 Year-2019 Thana- TEKARI District- Gaya

Shubham Kumar, aged about 19 years (Male) s/o Sri Rabindra Singh r/o
Village- Jalalpur, p.s.- Tekari, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ranjeet Tiwary, Adv. Mr. Chandra Bhushan Upadhyay, Adv. Mr. Mritunjay Kumar Singh, Adv.
For the Opposite Party/s :		Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-03-2022 Heard Mr. Mritunjay Kumar Singh, learned
Advocate for the petitioner and Mr. Narsingh Tanti, learned
A.P.P.

The petitioner seeks bail in anticipation of his
arrest in connection with Tekari (Mau OP) P.S. Case No.
352 of 2019 dated 25.09.2019 instituted for the offences
under Sections 341, 325, 307, 379, 504, 506 and 34 of the
Indian Penal Code.

This Court has found that the petitioner is a minor
and, according to the learned counsel for the petitioner, he
was less than 16 years of age at the time of occurrence.

In that view of the matter, the Court was



absolutely justified in holding the petition for anticipatory bail to be not maintainable.

The petitioner ought to have presented himself before the concerned Juvenile Justice Board.

The apprehension of the petitioner that he shall be sent to the remand home in a case of this kind is absolutely unfounded.

Should the petitioner present himself before the concerned Juvenile Justice Board, it would be obligation of the Juvenile Justice Board to pass order in accordance with law as provided under the Juvenile Justice (Care and Protection of Children) Act, 2015.

This petition, being not maintainable in the present form, is dismissed with the aforesaid observation.

(Ashutosh Kumar, J)

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