

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3898 of 2021

Arising Out of PS. Case No.-242 Year-2020 Thana- BALIYA District- Begusarai

AMRESH KUMAR @ AMRESH YADAV MINOR SON OF LATE
INDRADEV YADAV Resident of Village- Musechak, P.S.- S. Kamal, Near
Lakhminya Market, Dist- Begusarai, under the guardianship of Sister in Law
(Bhabhi) namely Punam Devi, W/o Dilip Kumar Yadav, R/o Village-
Musechak, P.S.- S. Kamal, Near Lakhminya Market, Dist- Begusarai.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shubhesh Pandey
For the Respondent/s : Ms. Abha Singh

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 21-07-2022 Heard both the parties.

This appeal has been filed for setting aside the order dated 29.06.2021 passed in Cr. Appeal No. 19 of 2021 by the learned Additional District and Sessions Judge-I-cum-Children Court, Begusarai and the order dated 06.03.2021 passed by the learned Principal Magistrate, Juvenile Justice Board in J.J.B. Case No. 23 of 2021 arising out of Ballia P.S. Case No. 242 of 2020.

The report of the Social Investigation shows that the appellant has criminal antecedent. His elder brothers used to do business of illicit liquor. In order to take revenge of murder of his father, the appellant along with his three brothers indulged in

this crime. The report shows that if the appellant is released from the protective custody, there is strong possibility of spreading violence in the society and in his family.

On bare perusal of provision of Section 12 of the Juvenile Justice (Care and Protection and of Children) Act, 2015, it appears that Juvenile in conflict with law shall be released on bail unless there appears reasonable grounds for believing that the release is likely to bring him into association with any known criminal or expose him to moral, physical or psychological danger or that his release would defeat the ends of justice.

Having considered the facts and circumstances of the case and the report of the Probation Officer as also the submissions advanced on behalf of the parties, this court does not find any error in the orders of the Court below. Accordingly, this appeal is dismissed.

Let the defects as pointed out by the office be removed within a period of four weeks.

(Arvind Srivastava, J)

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