

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4713 of 2021

Arising Out of PS. Case No.-14 Year-2020 Thana- NOWKOTHI GARHPURA District-
Begusarai

=====

RANBIR KUMAR Son of Harinandan Mahto Resident of Village - Samsa, P.S.- Nawkothi, District - Begusarai. Through under guardianship of his own married sister namely Seema Kumari aged 24 Years D/o Harinandan Mahto, W/o Sonu Kumar, Resident of village - Pakri, P.S.- Birpur, District - Begusarai.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Nakul Kumar Jamuar
For the Respondent/s : Mr. Bipin Kumar

=====

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 25.08.2021 passed by learned Additional District and Sessions Judge-I-cum-Special Judge, Juvenile Justice Care and Protection of Children Act, Begusarai in connection with J.J.C.P. Case No. 13 of 2021 arising out of Nawkothi P.S. Case No. 14 of 2020, whereby and whereunder the prayer for bail made on behalf of the appellant has been rejected.

The report of the Probation Officer shows that there is old enmity in between the appellant's family and one another family from the same village. Earlier, on account of enmity there have been scuffle in between the parties resulting to

murder also and there is possibility of its repetition in future. Due to ancestral enmity, the family members of the appellant have become of criminal nature, which gave a bad effect on the development of the personality of the appellant and he learnt the negative quality like revenge. The report further suggests that for the better future of the appellant, not to turn towards crime, to become a responsible citizen and to bring him in the mainstream of the society, there appears to be a need of special attention, care, psychological assistance, proper counseling and education.

The learned Court below in its finding recorded that the if the appellant is released from the protective custody, there is likelihood of his going back in the same environment, which will defeat the ends of justice.

On 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 order 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)

shailendra/-

U		T	
---	--	---	--