

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.837 of 2023

Arising Out of PS. Case No.-60 Year-2022 Thana- MUFFASIL District- West Champaran

BITTU KUMAR @ BITTU RAM Son of Ramayan Ram Under the
Guardianship of his father namely Ramayan Ram R/v- Kohara Bhawanipur,
P.S.- Srinagar Pujha, District- West Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Umesh Kumar Gupta, Adv.
For the Respondent/s : Mr. Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT

Date : 01-08-2023

1. Heard learned counsel for the appellant and
learned A.P.P. appearing for the State.

2. This is an appeal under Section 101(5) of the
Juvenile Justice (Care and Protection of Children) Act, 2015
against refusal of the prayer for bail to the appellant by order
dated 14.12.2022 passed by Additional District & Sessions
Judge 1st-cum-Special Judge (SC/ST), Bettiah, West Champaran
in connection with Bettiah (M) P.S. Case No. 60 of 2022.

3. Learned counsel appearing for the appellant
submits that the appellant is innocent and has been falsely
implicated in the instant case due to land dispute with his uncle.
The appellant has been languishing in custody since 15.02.2022



and there is no likelihood of the appeal to be taken up for hearing in near future.

4. The probation report mentions that the appellant's family has no criminal antecedent. He has done his matriculation and doing his intermediate. The parents have stated that, if released, the appellant will complete his studies. The report suggests that the appellant shall be kept under special protection and care for his rehabilitation.

5. Considering the submissions made above and the unlikelihood of the appeal to be taken up for hearing in near future, the prayer for suspension of sentence and grant of bail to the appellant is allowed. Let the appellant (juvenile), above named, be enlarged on bail on execution of surety bond by his father giving undertaking that he shall keep proper care and upkeep of the appellant and shall fully co-operate in the pending enquiry/trial.

(Arvind Srivastava, J)

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CAV DATE	
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