

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1896 of 2023

Arising Out of PS. Case No.-68 Year-2019 Thana- BUNIYAD GANJ District- Gaya

KUNAL KUMAR @ DURGA MAHTO @ DURGA KUMAR S/O LATE
KAILASH MAHTO @ ALLASH MAHATO Resident of Village-
Khanjahanupr, P.S.- Buniyadganj, District- Gaya, under the guardianship of
his mother namely Giraja Devi aged about 74 years wife of late Kailash
Mahtoo @ Allash Mahato, Resident of Village- Khanjahanpur, P.S.-
Buniyadganj, District- Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manish Kumar No2
For the Respondent/s : Mr. Syed Ashfaque Ahmad

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 17-05-2023 Heard learned counsel for the appellant and learned
counsel for the State.

This appeal has been preferred against the judgment dated 13.02.2023 passed by learned Special Judge (Children Court), Gaya in connection with Juvenile Trial No. 07 of 2020 arising out of Buniyadganj P.S. Case No. 68 of 2019 registered under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act, whereby and whereunder the prayer for bail of the appellant has been rejected.

Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Further he submits that the probation officer in his



report has not said anything about any threat in the society if he is released on bail. It is also submitted that the appellant has been languishing in custody since 09.09.2019.

Considering the aforesaid facts and circumstances of the case, the order date 13.02.2023 passed by the Special Judge (Children Court), Gaya is set aside and the present appeal is allowed.

Let the appellant, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge (Children Court), Gaya in connection with Juvenile Trial No. 07 of 2020 arising out of Buniyadganj P.S. Case No. 68 of 2019.

(Arvind Srivastava, J)

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