

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1922 of 2023**

Arising Out of PS. Case No.-41 Year-2021 Thana- PAWANA District- Bhojpur

RAVI RANJAN KUMAR @ RAVI RANJAN SINGH Son of Satendra Singh
R/V- Pawar, PS- Pawana, Dist- Bhojpur, through her Sister Kavita Devi, Aged
about 25 years, Wife of Kamleshwar Singh R/V- Itwa, P.S- Shahpur, Dist-
Bhojpur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ravi Ranjan, Adv.
For the Respondent/s : Mrs. Abha Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT**

Date : 25-07-2023

Heard the parties.

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
17.03.2023 passed by the Additional Sessions Judge-I, Bhojpur
at Ara in connection with B.P. No. 1658 of 2023 in Special
Children Case No. 13 of 2023 arising out of Pawana P.S. Case
No. 41 of 2021.

On bare perusal of provision of Section 12 of the
Juvenile Justice (Care and Protection 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.

The impugned order mentions that the release of the appellant would defeat the ends of justice and his release will expose him to moral, physical or psychological danger.

The existence of the aforesaid grounds should not mean guesswork but it should be supported by some evidence on record such as report of the probation officer etc. The report of the probation officer does not mentions anything as has been recorded by the Children Court. Further the report of the probation officer suggests that the appellant needs to be given proper training for leading a good life along with regularizing his education.

As such, the rejection of the prayer for bail of the appellant is unjustified and against the intention of the provision of Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015. The same is, accordingly, set aside. Let the appellant, above named, be enlarged on bail on execution of surety bond by the sister of the appellant giving undertaking that she will keep proper care and upkeep of the appellant and will



fully co-operate in the pending enquiry/trial.

The appeal stands disposed of.

(Arvind Srivastava, J)

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CAV DATE	
Uploading Date	28.07.2023
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