

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.126 of 2024

Arising Out of PS. Case No.-144 Year-2022 Thana- BHAPTIAHI District- Supaul

RAVINDRA MANDAL @ RAVINDRA KUMAR S/O SADANAND
MANDAL @ SUDHIR MANDAL R/O VILLAGE- SRAYGADH UTTAR,
P.S- BHAPTIYAH, DISTT.- SUPAUL. UNDER THE GAURDIANSHIP OF
MOTHER NAMELY REETA DEVI W/O SADANANAD MANDAL @
SUDHIR MANDAL. R/V- SARAYGADH, P.S- BHAPTIYAH, DISTT.-
SUPAUL.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Prafull Chandra Thakur
For the Respondent/s : Mr.Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 02-05-2024 Heard the parties.

2. This application has been filed against the order dated 1.7.2023 passed by the learned Additional Sessions Judge-I-cum-Special Children Court, Supaul in Cr. Appeal No. 28 of 2023 by which the learned Special Judge has rejected the bail application of the appellant/petitioner who is accused in Bhaptiyahi P.S. Case No. 144 of 2022 registered for the offence under Sections 341, 323, 307, 302/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is accused of having participated in the killing of the deceased.

4. Learned counsel for the petitioner has submitted that the petitioner has been held to be juvenile and on the date of



occurrence he has been assessed to aged 16 years 3 months and 20 days.

5. Learned counsel for the petitioner further relies upon the provisions of the Section 3(i), (iv), (v) and (xiv) of the Juvenile Justice (Care and Protection of Children) Act, 2015. He also relies upon Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and has submitted that bail is a rule and denial of bail to a juvenile is an exception.

6. He further submits that though the petitioner is in conflict in law but he has remained in jail since 7.2.2023 and the Court below has not considered the law with regard to the release of juvenile under the Juvenile Justice (Care and Protection of Children) Act, 2015.

7. Learned counsel for the petitioner further submits that family members of the petitioner including the mother of the petitioner will take care of the petitioner so that he may not do any further crime and he may not remain in the company of the criminals.

8. Considering the aforesaid facts, this application is allowed.

9. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- each with two



sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I-cum-Special Judge, Juvenile Court, Supaul in connection with JJB No. 356 of 2023 / Cr. Appeal No. 28 of 2023 subject to the following conditions:-

(i) that one of the bailors should be the mother of the petitioner;

(ii) that the mother of the petitioner shall file an affidavit before the concerned Court below, giving specific undertaking that after release of the petitioner on bail, she will take proper care of the petitioner and will not allow him to fall into bad company;

(iii) that after being released on bail, the petitioner will mark his attendance at Bhaptiyahi police station on first Sunday of the month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.

(Sandeep Kumar, J)

Vikas/-

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

