

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1209 of 2024

Arising Out of PS. Case No.-135 Year-2023 Thana- BHORE District- Gopalganj

Rabbani Alam @ Gulam Rabbani S/o Mr. Manjur Alam R/o Vill - Hardiya,
P.S. - Bhore, Dist. - Gopalganj through his father and natural guardian Mr.
Manjur Alam, aged about 55 years (Male), son of Late Md. Mauzam Mian,
resident of village - Hardiya, P.S. - Bhore, Dist. - Gopalganj

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Thakur, Adv. Mr. Vaishnavi Singh, Adv. Mr. Ritwik Thakur, Adv.
For the Respondent/s	:	Mr. Bal Mukund Prasad Sinha

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 07-05-2024 Heard learned counsel for the appellant and learned
APP for the State.

2. This appeal is directed against the order dated 11-
01-2024 passed by the learned Children Court i.e. learned
Additional District & Sessions Judge-Ist-cum-Special Judge,
Children Court, Gopalganj in Special Case No. 18 of 2023
arising out of Bhore P.S. Case No. 135 of 2023 whereby and
whereunder the learned trial court rejected the prayer for bail of
the juvenile/appellant.

3. The allegation against the appellant and other
accused persons is that in connivance with the others, came to
the house of the informant, took his son with them and they



stabbed below on his chest, stomach, abdomen and have seriously injured him. The informant's son was taken to Referral Hospital, Bhore for treatment, from where her son was refereed to Sadar Hospital, Gopalganj, where he died and after death, Section-302 of the Indian Penal Code was also added.

4. It has been submitted on behalf of the appellant that as per Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015, while considering the bail of a juvenile, the gravity of the offence shall not be looked into. She submitted further that on exactly similar footing, several co-accused persons have been granted bail by coordinate benches of this court by orders dated 05-01-2024 and 15-02-2024 passed in Cr. Misc. No. 66024 of 2023, Cr. Misc. No. 78535 of 2023 and Cr. Misc. No. 6411 of 2024 respectively.

5. Considering the aforesaid facts, especially the fact that co-accused Rahul Ram, Manjesh Kumar @ Kuli Ram and Kaushal Ali @ Kaushal Hussain have already been granted bail, let the appellant be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of learned Children Court i.e. learned Additional District & Sessions Judge-Ist-cum-Special Judge, Children Court, Gopalganj in Special Case No. 18 of 2023



arising out of Bhore P.S. Case No. 135 of 2023.

6. Accordingly, the present appeal is *allowed*.

(Nawneet Kumar Pandey, J)

A.K.V.//-

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