

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL REVISION No.290 of 2024**

Arising Out of PS. Case No.-420 Year-2023 Thana- NAVINAGAR District- Aurangabad

Bablu Yadav @ Bablu Kumar S/o Sakaldeep Yadav Resident of Village Mahuawan P.S. Nabinagar, (Badem O.P.), District Aurangabad under Guardian Ship of his father namely Sakaleep Yadav aged about 48 years s/o Saguni Yadav, R/o vill - Mahuawan, P.S. - Nabinagar (Badem O.P.), Distt. - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Binod Kumar Pandey, Adv.  
For the Respondent/s : Mr. Rajendra Nath Jha, APP

**CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL**  
**ORAL ORDER**

6      04-10-2024                      This revision petition has been preferred by the petitioner being aggrieved with the order dated 11.03.2024 passed by the learned Children Court Cum A.D.J. Ist, Aurangabad passed in Cr. Appeal No. 02 of 2024 whereby and whereunder, the learned Appellate Court affirmed the Order dated 03.01.2024 passed by the Juvenile Justice Board, Aurangabad in connection with Nabinagar (Badem O.P.) P.S. Case No. 420 of 2023 for the offences under Section 147, 149, 332, 333, 379, 411, 427, 353, 307, 302, 120 (B) of I.P.C and also rejected the prayer of the bail of the applicant/petitioner.

2. According to the case of prosecution, the FIR has been registered against the seven accused persons, the specific



allegation is made against the driver of the tractor who dashed the Home guard and in result, he died. It is alleged that the present applicant/petitioner was also present there as a liner with other co-accused persons.

3. Learned counsel for the petitioner submits that the petitioner is falsely implicated in this case, there is no any direct evidence available on record against him on the basis of which any offence can be made out against him. He further submit that the allegations is against the driver of the offending tractor. He further submits that some of the co-accused have been granted benefit of bail by this Court. He also submit that the petitioner has no any previous antecedent.

4. Learned counsel for the petitioner submits that the Social Investigation Report also does not show any thing specific against him and the petitioner is in observation home since 21.11.2023. He prays that the petitioner should be given benefit of bail.

5. Learned counsel for the State opposes the argument raised by the counsel for the petitioner.

6. Perused both the order passed by both the courts below as well as the documents annexed with the petition.

7. Considering the submission made by the counsel



and further, considering the fact that the main allegation is against the driver of the offending vehicle namely Binod Kumar and further considering that there is no any direct evidence against the petitioner/applicant and he has no any previous antecedent. I am inclined to allow the application preferred by the petitioner. Accordingly, the revision petition is allowed and the order dated 11.03.2024 passed by the learned Children Court Cum A.D.J. Ist, Aurangabad in Cr. Appeal No. 02 of 2024 and Order dated 03.01.2024 passed by Juvenile Justice Board, Aurangabad in J.J.B. No.1212/23 arising out of Nabinagar (Badem O.P.) P.S. Case No. 420 of 2023 is hereby set aside.

8. It is directed that petitioner 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 Learned Juvenile Justice Board case no. J.J.B. No. 1212/23 arising out of Nabinagar (Badem O.P.) P.S. Case No. 420 of 2023 subject to the following conditions:-

(i) that one of the bailors shall be the father of the petitioner.

(ii) that the parents of the petitioner shall file an affidavit before the learned Juvenile Justice Board, Aurangabad, giving specific undertaking that after release of the petitioner on



bail, he will take proper care of the petitioner and will not allow him to fall into bad company.

**(Arvind Singh Chandel , J)**

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