

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.331 of 2024

Arising Out of PS. Case No.-424 Year-2023 Thana- ATRI District- Gaya

Chhotu Kumar Son of Sri Nand Lal Sharma Under guardianship of his mother
namely Mano Devi, W/o Sri Nand Lal Sharma, R/o village - Malbigha, P.S.-
Atri, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Respondent/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

6 19-09-2024 Heard learned counsel for the petitioner and learned
counsel for the respondent.

2. This revision petition has been preferred by the
applicant (juvenile) being aggrieved with the judgment dated
11.03.2024 passed by the learned Special Judge (Children
Court), Gaya in connection with Juvenile Appeal No. 59 of
2023, whereby and whereunder the learned Appellate Court
affirmed the order of the Juvenile Justice Board, Gaya and
rejected the prayer of bail of the applicant.

3. According to the case of prosecution, the applicant
(juvenile) along with other co-accused persons assaulted the
deceased by means of rod, sticks, lathi and khanti due to which
he sustained injury.



4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has falsely been implicated in this case due to some family disputes. He further submits that general and omnibus allegations have been made against the petitioner. It is also submitted that most of the other co-accused persons have already been granted benefit of regular bail by this Court. The petitioner has no criminal antecedent and the Social Investigation Report also does not suggest anything against the petitioner. He further submits that petitioner/applicant is in observation home since 07.09.2023. Therefore, it is prayed by him that applicant-petitioner may be released on bail.

5. Learned counsel for the respondent-State opposes the above submissions raised by the learned counsel for the applicant.

6. Having considered the above facts and circumstances of the case and the submissions advanced on behalf of the learned counsels for the parties, I am inclined to allow the application of the applicant. Accordingly, the prayer for bail of the applicant is allowed. The judgment and order dated 11.03.2023 passed by the Special Judge (Children Court), Gaya in Juvenile Appeal No. 59 of 2023 arising out of Atri P.S. Case No. 424 of 2023 and the order dated 31.10.2023 passed by



the Juvenile Justice Board, Gaya are, hereby, set aside.

7. Let the above named petitioner-applicant be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Juvenile Justice Board, Gaya in connection with Atri P.S. Case No. 424 of 2023, subject to the following conditions:-

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

(ii) that the father of the petitioner shall file an affidavit before the learned Juvenile Justice Board, Gaya 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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