

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No 344 of 2024

Arising Out of PS. Case No.-342 Year-2023 Thana- NAVINAGAR District- Aurangabad

XXXX Juvenile-in-conflict with law son of Dhudheswar Singh Yadav Village
Joga Bandh, P.S.- Nabinagar, District Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashok Singh

For the Respondent/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR JUSTICE ARVIND SINGH CHANDEL

ORAL ORDER

6 23-08-2024 Heard.

2 This revision has been preferred by the petitioner (juvenile) being aggrieved with the order dated 01.04.2024 passed by the Children Court -cum- learned Additional Sessions Judge I, Aurangabad in Criminal Appeal No 17 of 2024 whereby the prayer for bail of the petitioner has been rejected by the appellate Court and the appellate Court also affirmed the order of the JJB, Aurangabad dated 05.02.2024 in connection with JJB No 1099 of 2023 arising out of Nabinagar PS Case No 342 of 2023 registered for the offence punishable under Sections 25 (1-b)a/26/35 of the Arms Act.

3 According to the case of the prosecution, during the course of investigation of Nabinagar PS Case No 340 of 2023,



information was received by the Investigating Officer of the case and on being searched, one Vishal Kumar, aged about 17 years, was caught. He was carrying mobile phone which was recovered. In the said mobile phone, the petitioner-applicant was seen having a country made pistol. On the basis of the said, search was made and one country made pistol has been recovered from the present applicant.

4 The learned counsel for the petitioner would submit that the petitioner is innocent and has falsely been implicated in this case only on the basis of disclosure statement made by the co-accused. He further submits that the applicant is in custody since 21.08.2023 and presently he is in the Observation Home. Social Investigation Report also does not suggest anything against him.

5 Learned counsel for the State opposes the prayer for bail.

6 Considering the submission of the counsel and further considering the fact that the petitioner is in custody since 21.08.2023, the petitioner is granted the privilege of bail.

7 Accordingly, this revision petition is allowed.

8 Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of the Children Court -cum- learned Additional Sessions Judge I, Aurangabad in JJB No 1099 of 2023 arising out of Nabinagar PS Case No 342 of 2023 subject to the following conditions:

- (i) That one of the bailors should be the father of the petitioner, and*
- (ii) That the father of the petitioner shall file an affidavit before the concerned Court below, 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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