

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No 353 of 2024

Arising Out of PS. Case No.-340 Year-2023 Thana- NAVINAGAR District- Aurangabad

XXXX Juvenile-In-Conflict With Law Son Of Dhudheshwar Singh Yadav @
Dudheshwar Yadav Resident Of Village - Joga Bandh, P.S. - Nabinagar,
District - Aurangabad Under The Guardianship Of His Father Namely
Dhudheshwar Singh Yadav, Resident Of 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, Advocate
For the Respondent/s : Mr Pranav Kumar, APP

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 11.03.2024 passed by the Children Court -cum- learned Additional Sessions Judge I, Aurangabad in Criminal Appeal No 4 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 30.11.2023 in connection with JJB No 1098 of 2023 arising out of Nabinagar PS Case No 340 of 2023 registered for the offence punishable under Sections 302, 201, 120B of the Indian Penal Code.

3 According to the case of the prosecution, on



18.08.2023 at about 7 am, the deceased Archit Kumr had proceeded from his home for going to coaching but did not return till 6 pm. Search was made and during the search, his dead body was found near the coaching center. It is alleged that the applicant along with co-ccused Sonu Kumar were seen coming from the boundary wall of the rice mill.

4 On the basis of report made by the informant, the offence has been registered. During the course of investigation, the applicant has been taken in custody on 21.08.2023 and since then he is in the Observation Home being a juvenile.

5 The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is no eye witness in this case and only a weak circumstantial evidence is available against the petitioner. He further submits that co-accused Sonu Kumar has already been granted bail by a coordinate Bench of this Court (Annexure P/3). Lastly, he submits that the applicant is in the Observation Home since 21.08.2023 and Social Investigation Report of the applicant also does not suggest anything against the petitioner.

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

7 Considering the fact that co-accused Sonu Kumar



has been granted bail and the petitioner is in custody since 21.08.2023 as also the fact that social investigation report does not suggest anything against the petitioner, the petitioner is granted the privilege of bail.

8 Accordingly, this revision petition is allowed.

9 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 1098 of 2023 arising out of Nabinagar PS Case No 340 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)

M.E.H./-

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