

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.448 of 2024

Arising Out of PS. Case No.-488 Year-2023 Thana- ARA NAWADA District- Bhojpur

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Bholu Singh @ Aditya Kumar @ Shreeyanshu S/o Ashok Kumar Singh R/o Mohalla- Bandhantola, P.S.-Ara Nawada, District-Bhojpur through his mother namely km Lata Singh, aged about 35 Years, Female, W/o ashok Kumar Singh, R/o Mohalla-bandhantola, P.s.-Ara Nawada, District-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra

For the Respondent/s : Mr.Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 19-06-2024 Heard the parties.

2. The present application has been filed for setting aside the order dated 27.04.2024 passed by the learned Additional Sessions Judge-I, Bhojpur at Ara in Criminal Appeal No. 20 of 2024 in connection with JJB Case No. 23 of 2024 arising out of Ara Nawada P.S. Case No. 448 of 2023 registered for the offence under Section 153, 158, 307/24 of the Indian Penal Code, under Section 27 of the Arms Act and under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the petitioner is accused of in a case of attempt to murder.

4. Learned counsel for the petitioner has submitted that the petitioner has been held to be juvenile and on the date of



occurrence he has been assessed to aged about 16 years.

5. Learned counsel for the petitioner further relies upon the provisions of the Section 3(i), (iv), (v) and (xiv) of the Juvenile Justice (Care and Protection of Children) Act, 2015. He also relies upon Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and has submitted that bail is a rule and denial of bail to a juvenile is an exception.

6. He further submits that though the petitioner is in conflict in law but he has remained in jail since 31.01.2024 and the Court below has not considered the law with regard to the release of juvenile under the Juvenile Justice (Care and Protection of Children) Act, 2015.

7. Learned counsel for the petitioner further submits that family members of the petitioner including the father of the petitioner will take care of the petitioner so that he may not do any further crime and he may not remain in the company of the criminals.

8. Considering the aforesaid facts, this application is allowed.

9. Let the petitioner, above named, 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 the learned Juvenile



Justice Board, Bhojpur at Ara/concerned Court below in connection with JJB Case No. 23 of 2023 arising out of Ara Nawada P.S. Case No. 488 of 2023 subject to the following conditions:-

- (i) that one of the bailors should be the father of the petitioner;
- (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.

Vikas/- (Sandeep Kumar, J)

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