

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No 545 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- MOUZA HIDPUR District- Bhagalpur

PK @ AK S/O Ajay Kumar Mandal R/O Mohalla- Ram Mandal Lane,
Maheshpur, Near Kali Asthan, P.S- Babbarganj, Distt.- Bhagalpur, Under The
Guardianship Of Father Namely Ajay Kr. Mandal Aged About 53 Yrs Male,
S/O Late Chote Lal Mandal, R/O Mohalla- Ram Mandal Lane, Maheshpur
Near Kali Asthan, P.S- Babarganj, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Respondent/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR JUSTICE ARVIND SINGH CHANDEL

ORAL ORDER

4 23-09-2024

Heard.

2 This revision petition has been preferred by the petitioner (juvenile) being aggrieved with the judgment dated 04.05.2024 passed by the learned Additional Sessions Judge I -cum- Special Judge, Children Court, Bhagalpur in Criminal Appeal No 21 of 2024 whereby and where under the learned Appellate Court affirmed the order of the JJB, Bhagalpur dated 29.02.2024 passed in Mojahidpur PS Case No 15 of 2024 registered for the offence punishable under Sections 25 (1-B) a, 26, 35 of the Arms Act and rejected the prayer for bail of the petitioner.

3 According to the case of the prosecution, the police



officials received a secret information that two persons are moving with arms at Maheshpur. On the basis of the said information, they reached the spot. On seeing them, the accused persons, who were present there, tried to flee away from the spot. However, both of them were caught. On being searched, one loaded country made pistol and two live cartridges respectively were recovered from their possession. Thus, both were arrested.

4 Learned counsel for the petitioner would submit that the petitioner is innocent and has falsely been implicated in this case. Though one case has been instituted against him but in that case, he has been granted bail. SI Report also does not suggest anything against him. Lastly, it is submitted that the petitioner is in custody since 06.01.2024.

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

6 Considering the fact that SI Report of the petitioner does not suggest anything against him and he is in custody since 06.01.2024, 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 Juvenile Justice Board, Bhagalpur in Mojahidpur PS Case No 15 of 2024 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./-

U		T	
---	--	---	--

