

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3796 of 2024

Arising Out of PS. Case No.-195 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

Rishikesh Choudhary @ Rishi Choudhary son of Arvind Chaudhary village-
Belaur, Ps- Udwanthnagar, Dist- Bhojpur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ravindra Kumar, Adv

For the Respondent/s : Mr.Abhay Kumar, SPP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 27-09-2024 Heard learned Counsel for the petitioner and
Learned Special Public Prosecutor for the State.

2. The present appeal has been preferred against the order dated 12.07.2024 passed in Special Children Case No. 16 of 2024 arising out of Udwanthnagar P.S. Case No. 195 of 2023 for the offence punishable under Section 302/34 of the I.P.C. and Section 27 of the Arms Act.

3. Learned Counsel for the appellant submits that at the time of alleged date of occurrence, the appellant was juvenile. As such, appellant is not an accused rather he is child in conflict with law. He further submits that his father is ready to give undertaking that if the appellant get released on bail, then he will take care of his child so that he shall not be in bad company rather commit such type of crime again. He further



submits that though there are four criminal cases are pending against him whose details are mentioned in paragraph no. 3 of the bail petition, but the major co-accused persons have been granted bail by this Hon'ble Court as well as Co-Ordinate Bench of this Hon'ble Court which is annexed as Annexure-2 series. Learned Counsel further submits that in the light of child jurisprudence, the appellant deserves to be released on bail.

4. Learned Counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean.

5. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each and on being satisfied by the Trial Court that appellant is not absconding in any of the cases pending against him whose details are mentioned below to the satisfaction of 1st Additional Sessions Judge-Cum-Childres's Court, Bhojpur at Ara in connection with Special Children Case No. 16 of 2024 arising out of Udwanthnagar P.S. Case No. 195 of 2023 subject to the condition laid down under Section 437(3) of the Cr.P.C. along with the undertaking of the appellant's father with regard to



taking care of his child.

6. Appellant is directed to appear before the Probation Officer Bhojpur at Arah periodically once in a month.

7. Pending cases against the appellant are as follows:

- Ara Nawada P.S. Case No. 658 of 2020
- Ara Nawada P.S. Case No. 739 of 2020
- Ara Nawada P.S. Case No. 839 of 2020
- Udwantnagar P.S. Case No. 195 of 2023

(Dr. Anshuman, J)

Sunnykr/-

U			
---	--	--	--

