

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3975 of 2023

Arising Out of PS. Case No.-369 Year-2020 Thana- BIBHUTIPUR District- Samastipur

CHHOTU KUMAR @ CHHOTU SAW @ CHHOTU SAH SON OF LATE
KAMLESHWAR SAH @ KAMESHWAR SAH RESIDENT OF VILLAGE -
SAKHMOHAN, P.S. - VIBHUTIPUR, DISTRICT SAMASTIPUR UNDER
GUARDIANSHIP OF HIS ELDER BROTHER PANKAJ KUMAR SAH,
MALE, AGED ABOUT 28 YEARS, SON OF LATE KAMLESHWAR SAH
@ KAMESHWAR SAH, RESIDENT OF VILLAGE - SAKHMOHAN, P.S. -
VIBHUTIPUR, DISTRICT - SAMASTIPUR

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Avinash Kumar Singh, Adv.

For the Respondent/s : Mr. Anand Mohan Prasad Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 02-02-2024 1. Heard learned counsel for the appellant and
learned A.P.P. appearing for the State.

2. The appellant has renewed his prayer for grant of
bail. This appellant (juvenile) has earlier preferred the Cr.
Appeal (S.J.) No. 01 of 2022 for setting aside the order dated
05.07.2023 passed by learned Additional District and Sessions
Judge-I-cum-Children Court, Samastipur in Vibhutipur P.S.
Case No. 369 of 2020, which was dismissed by this Court *vide*
order dated 29.09.2022.

3. Learned counsel appearing for the appellant
submits that the fresh ground on which the appellant has
renewed his prayer for bail is that the appellant has been



languishing in remand home since 06.08.2021. He submits that para '8' of the fresh probation report suggests that for the bright future of the juvenile, he may be kept in the tutelage and proper care of the elder brothers in order to connect with his education. It also suggests that there is no problem in the rehabilitation of the juvenile.

4. Considering the submissions made above and the fresh report by the probation officer, the prayer for grant of bail to the appellant is allowed. Let the appellant (juvenile), above named, be enlarged on bail on execution of surety bond by the elder brother of the appellant namely Pankaj Kumar giving undertaking that he shall keep proper care and upkeep of the appellant and shall fully co-operate in the pending enquiry/trial.

5. The appeal stands allowed.

(Arvind Srivastava, J)

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