

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.719 of 2023

Arising Out of PS. Case No.-182 Year-2023 Thana- JAMUI District- Jamui

VINOD KUMAR @ BINOD KUMAR son of Late Ramji Mahto Village-
Kakan Ps Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar
For the Respondent/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 30-04-2024 Heard the parties.

2. This criminal revision application has been filed against the judgment and order dated 12.09.2023 passed by the District and Sessions Judge, Jamui in Cri. (Juvenile) Appeal No. 4 of 2023 arising out of Sl. No. 1217 of 2023 arising out of Jamui P.S. Case No. 182 of 2023 by which the District and Sessions Judge has affirmed the order rejecting the bail application of the petitioner by the Juvenile Justice Board, Jamui vide order dated 06.07.2023.

3. 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 17 years, 2 months and 20 days.

4. 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.

5. He further submits that though the petitioner is in conflict in law but he has remained in jail since 27.03.2023 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.

6. Learned counsel for the petitioner further submits that family members of the petitioner including the mother 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. He also submits that the petitioner has one antecedent also.

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

8. 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, Jamui/concerned Court below in



connection with Cri. (Juvenile) Appeal No. 04 of 2023 arising out of Sl. No. 1217 of 2023 arising out of Jamui P.S. Case No. 18 of 2023 subject to the following conditions:-

(i) that one of the bailors should be the mother 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, she will take proper care of the petitioner and will not allow him to fall into bad company;

(iii) that after being released on bail, the petitioner will mark his attendance at Jamui police station on every Sunday of the month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.

(Sandeep Kumar, J)

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