

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4810 of 2024

Arising Out of PS. Case No.-219 Year-2023 Thana- CHANDRADIP District- Jamui

Sachin Kumar @ Sachin Yadav Son of Krishna Yadav Resident of Village-
Itabandh, P.S.- Chandradip, Distt.- Jamui

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pankaj Kumar Dubey, Adv.

For the Respondent/s : Mr. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 25-10-2024 Heard learned counsel for the appellant and
learned A.P.P for the State.

2. The appellant seeks bail in connection with
Children Case No. 14 of 2024 arising out of Chandradeep
P.S. Case No. 219 of 2023 dated 02.11.2023 registered for
the offence punishable under Sections 302, 120(B)/34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, the informant, who is
father of the deceased, has alleged that Dr. Birendra Mahto
had threatened his son, namely, Nakul Yadav not to give
treatment to his patient of Manpur Mushari Tola otherwise
he will have to face the consequences. On 01-11-2023, the



informant raised suspicion that his son might have been killed by F.I.R. named accused persons and some unknown persons under conspiracy.

4. Learned Counsel for the appellant submits that the appellant is innocent and has been falsely implicated in this case. It is submitted that at the time of occurrence the appellant was aged about 17 years 7 months and 27 days which was assessed by Juvenile Justice Board. It is submitted that the F.I.R. has been lodged against five accused persons including the appellant. It is submitted that a report about the status of the trial of Lagan Chaudhary was called for in the Criminal Miscellaneous Case No. 49369 of 2024 and a report was submitted before this Court in that case. It appears from the report submitted in the said case that till 03.08.2024 altogether two prosecution witnesses were examined and next date for prosecution evidence was fixed on 05.08.2024. From paragraph no. 5 of the aforesaid order, it appears that three witnesses were examined on behalf of the prosecution as on the date of passing order in that case i.e. 25.09.2024. Referring to deposition of PW-2, who is the eye witness of the



occurrence, it is submitted that during trial of other accused persons, the PW-2 in his deposition has stated that Bama Yadav (Bam Yadav) @ Mithilesh had fired at the deceased. It is submitted that in the present case nothing has been mentioned against the appellant. The appellant being juvenile at the time of occurrence, the Children Case No. 14 of 2024 was initiated. It is further submitted that there is no specific allegation against the appellant, rather, the allegation levelled against him is general and omnibus. It is submitted that at present, the appellant has attained majority and is aged about 18 years 7 months and 17 days. Lastly, it has been submitted that the appellant is in Observation Home since 23.02.2024, having one criminal case against him and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the appellant.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the appellant be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of



the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Jamui-cum-P.O. of Children Court, Jamui in connection with Children Case No. 14 of 2024 arising out of Chandradeep P.S. Case No. 219 of 2023.

(Khatim Reza, J)

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