

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.812 of 2023

Arising Out of PS. Case No.-32 Year-2018 Thana- GOPALPUR District- Gopalganj

Ratnesh Kumar Yadav Son Of Ashok Yadav @ Hans Kumar Chaudhari
Resident Of Village - Bishunpura, P.S. - Gopalpur, District - Gopalganj.
Under The Guardianship Of His Mother Namely Kamalavati Devi

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate

Mr. Ajay Kumar Tiwary, Advocate

For the Respondent/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 05-03-2024

1. The son of the *de facto* complainant was murdered
by strangulation and throttling by some unknown miscreants.

The father of the deceased made a statement to this effect on 9th
of March, 2018, resulting in registration of Gopalpur P. S. Case
No. 32 of 2018 under Section 302/34 of the Indian Penal Code.

2. The accused was arrested in connection with the
aforesaid case.

3. It is submitted by the learned Advocate for the
petitioner that at least two co-accused persons, one of whom is
juvenile, was released on bail by a Co-ordinate Bench of this
Court.

4. I have perused from the record that on 24th of
September, 2018, one of the juveniles was granted bail in Cr.
Revision No. 907 of 2018.



5. The petitioner stands on the same footing.

6. Therefore, having heard the learned Advocate for the petitioner and the learned Additional Public Prosecutor Incharge as well as considering the fact that the petitioner is not named in the F.I.R., his name appeared on the confessional statement of a co-accused, which is not permissible in evidence, the petitioner is juvenile, but his prayer for bail was rejected by both the Juvenile Justice Board as well as the Court of Appeal, the instant revision is allowed.

7. The petitioner be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Juvenile Justice Board, Gopalganj in connection with Gopalpur P. S. Case No. 32 of 2018 with condition that one of the sureties shall be his parent, who will undertake that, in future, he will not allow the CICL to be exposed to social, moral and psychological danger and restrict him from being associated with the criminals.

8. The revisional application is thus allowed.

(Bibek Chaudhuri, J)

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