

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2414 of 2025

Arising Out of PS. Case No.-106 Year-2024 Thana- BANGAWON District- Saharsa

Ravi Raj @ Polu S/o Kumod Yadav R/o vill - Bariyarhi Basti, ward no. 6, P.S.- Bangaon, Distt.- Saharsa. Through the father guardian namely Kumod Yadav aged about 46 Years, S/o Jineshwar Yadav, R/o vill - Bariyarhi Basti, ward no. 6, P.S.- Bangaon, Distt.- Saharsa.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Amarnath Jha, Advocate
For the State	:	Mrs. Anita Kumari Singh, APP
For the Informant	:	Mr. Dinkar Kumar, Advocate
		Mr. Ajit Kumar, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 07-11-2025 Heard learned counsel for the appellant, learned counsel for the informant and learned APP for the State.

2. This appeal has been preferred against the order dated 28.05.2025 passed by the learned Additional Sessions Judge 1st cum Children's Court in Bangaon P.S. Case No.106 of 2024, corresponding to Special Child Case No.4 of 2025 registered under Sections 103(1), 61 (2), 54, and 351 (3) of the BNS and under Section 27 of the Arms Act.

3. The prosecution case as disclosed in the first information report is that while the father of the informant was getting his shaving done in a saloon, seven named



accused persons arrived and they fired at him due to which, he died. It has also been alleged that there were certain unknown persons as well who had covered their faces. Further, at the fag end of the FIR, it has been specifically stated that three accused persons, namely, Santosh Gupta, Raushan Kumar and Ashish Kumar went inside the saloon and fired at the deceased, whereas the other accused persons stood outside the saloon and aided in the occurrence.

4. Learned counsel for the appellant submits that it would be apparent from the first information report itself that the allegation of firing is on three accused persons but not on the appellant rather this appellant has not been named in the F.I.R. and his name transpired in this case during course of investigation through CCTV footage and the same is mentioned in para-111 of the case diary and perusal of the same would show that one of the accused, Raja Kumar, who was also identified in the CCTV, has already been released on bail by a coordinate Bench of this Court vide order dated 04.04.2025 passed in Cr. Misc. No.15604 of 2025 and the case of this appellant stands on similar footing to that of Raja Kumar. Learned counsel for



the appellant further submits that the appellant has no criminal antecedent and is languishing in custody since 20.08.2024 and the father of the appellant who has affidavited the present appeal is ready to take complete responsibility of the appellant who is child in conflict with law.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for bail on the ground that the name of the appellant has transpired during the course of investigation through CCTV footage.

6. Taking into consideration the rival contentions of the parties and also considering that the appellant is not one of the assailants of the deceased and his best interest would be being in biological family and also on account of the fact that the father of appellant is ready to take full responsibility of the appellant, thereby minimizing the danger of him being exposed to bad company, the impugned order dated 28.05.2025 is hereby set aside and this appeal is allowed.

7. Let the appellant above named be released on bail on furnishing a bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge 1st cum Children’s Court, Saharsa in connection with Bangaon P.S. Case No.106 of 2024 corresponding to Special Child Case No.04 of 2025.

8. However, the appellant is directed to appear physically before the learned Court concerned on each and every date and he would not seek any unnecessary adjournment in the case causing any kind of delay.

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(Soni Shrivastava, J)

