

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4630 of 2024

Arising Out of PS. Case No.-170 Year-2023 Thana- SIKANDRA District- Jamui

Chhotu Kumar @ Chhotu Yadav S/o- Sri Nuneshwar Yadav @ Nuneshwar Rai Resident of Village- Achardih PS- Sikandara District- Jamui Under the Guardianship of his Father Namely Nuneshwar Yadav @ Nuneshwar Rai S/o Bandhu Yadav.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Satya Prakash Parasar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

5 26-06-2025 This is an appeal under Section 101(5) of the Juvenile Justice (Care and Protection of Children) Act, 2015 filed by the father of one C.K. on the ground of his juvenility.

2. Be it mentioned here that on the date of alleged commission of offence the said C.K. was aged about 17 years.

3. It is submitted by the learned Advocate on behalf of the appellant that Sikandra P.S. Case No.170 of 2023 under Sections 302, 201/34 of the I.P.C. was registered against unknown miscreants on the basis of a written complaint submitted by one Ramnandan Yadav stating, inter-alia, that on 01.06.2023 at about 11 p.m. he received a phone call from his son Satyendra Yadav, who informed him that he was going to watch an Orchestra at Ramdih village. On the following morning, the villagers saw a dead body laying by the side of the village road with stab injury on different parts of the body. The



informant identified the said dead-body as his son's and lodged a complaint.

4. During investigation, police arrested one Babita Devi, Priyanka Kumari and C.K..

5. It is needless to say that Babita Devi is the elder sister-in-law and Priyanka Kumari is the sister of C.K.. During investigation, C.K. made a statement before the Investigating Officer while he was in custody stating, inter-alia, that he would be able to discover the weapons of assault if he was allowed to meet the police party. On being laid by him, police recovered iron made weapons and two mobile phones of the deceased from a place where the articles were concealed. Petitioner is in observation home since 03.06.2023.

6. In view of such material in the case diary and considering the fact that the incident was a cold blooded murder, I am not inclined to give the benefit of Section 3 read with section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 to the juvenile.

7. Prayer for bail is, thus, rejected.

8. The instant appeal is accordingly, dismissed at this stage.

(Bibek Chaudhuri, J)

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