

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4284 of 2025**

Arising Out of PS. Case No.-99 Year-2024 Thana- Hariharnath P.S. District- Saran

Ritik Kumar S/o Yogendra Sahni Under guardianship of his Mother Neelam Devi, W/o Yogendra Shani, R/o Village- Meena Bazar, PS- Harihar Nath Sonapur, District- Saran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Awadhesh Kumar Singh
For the Respondent/s : Mr. Zeyaul Hoda

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER**

3 13-11-2025 Heard the parties.

2. The present application has been filed against the order dated 12.08.2025 passed by the learned 1st Additional Sessions Judge, Saran at Chapra in CC Case No. 06 of 2025 arising out of Hariharnath P.S. Case No. 99 of 2024 registered under Sections 103(2), 61(2) of the Bharatiya Nyaya Sanhita, 2023 by which the regular bail of the appellant was rejected.

3. As per the prosecution case, the appellant is an accused in a case of murder.

4. Learned counsel for the appellant has submitted that the appellant has been held to be juvenile and on the date of occurrence he has been assessed to be less than eighteen years.

5. Learned counsel for the appellant 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.

6. He further submits that though the appellant is a child in conflict with law but he has remained in jail since 12.08.2024 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.

7. Learned counsel for the appellant further submits that family members of the appellant including the mother of the appellant will take care of the appellant so that he may not do any further crime and he may not remain in the company of the criminals.

8. Considering the aforesaid facts, this appeal stands allowed and accordingly, the dated 12.08.2025 passed by the learned 1st Additional Sessions Judge, Saran at Chapra in CC Case No. 06 of 2025 arising out of Hariharnath P.S. Case No. 99 of 2024 is hereby set aside.

9. Let the appellant, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the



like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Saran at Chapra/concerned Court in CC Case No. 06 of 2025 arising out of Hariharnath P.S. Case No. 99 of 2024 subject to the following conditions:-

- (i) That one of the bailors should be the mother of the appellant;*
- (ii) That the mother of the appellant shall file an affidavit before the concerned Court below giving specific undertaking that after release of the appellant on bail, he will take proper care of the appellant and will not allow him to fall into bad company;*
- (iii) The appellant will co-operate in the trial in the Children Court. He will appear personally or through his lawyer. Any default in the same will result in the cancellation of the bail bonds of the appellant.*

(Sandeep Kumar, J)

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