

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4710 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- KURSAKANTA District- Araria

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Raushan Kumar @ Raushan Kumar Mandal S/O Vinod Kumar Mandal
Resident Of Village- Kuan Pokhar Ward No. 12, Police Station- Sikty,
District- Araria, through his father, Vinod Kumar Mandal, who is his natural
guardian.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Mukesh Kumar Rana

For the Respondent/s : Mr.Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-01-2026 Heard learned counsel for the appellant and learned
APP for the State.

2. The present application has been filed on behalf of
the appellant against the order dated 11.08.2025 passed by the
learned 1st Additional Sessions Judge-cum-Special Judge, Araria
in Special (Child) Case No. 06 of 2025 arising out of
Kursakanta P.S. Case No. 23 of 2025.

3. As per the prosecution case, the appellant is
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 5.6.2025 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. He also submits that the main allegation of murder is against one Krishna Kumar Mandal and the appellant has only participated in the disposal of the dead body.

7. Learned counsel for the appellant further submits that family members of the appellant including the **father** 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 application is allowed and the order dated 11.08.2025, is hereby set aside.

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



the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, Araria/concerned Court below in Special (Child) Case No. 06 of 2025 arising out of Kursakanta P.S. Case No. 23 of 2025, subject to the following conditions:-

*(i) that one of the bailors should be the **father** of the appellant.*

*(ii) that the **father** 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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