

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4683 of 2025

In
CRIMINAL REVISION No.61 of 2025

Arising Out of PS. Case No.-383 Year-2024 Thana- RANIGANJ District- Araria

Suraj Kumar @ Surya Yadav @ Suraj Kumar Yadav S/O Ashok Kumar Yadav
R/o vill - Hasanpur, ward no. 3, P.S. - Raniganj, Distt.- Araria. Under
Guardianship of Father Ashok Kumar Yadav, S/o Braj Mohan Yadav, R/o vill
- Hasanpur, ward no. 3, P.S. - Raniganj, Distt.- Araria

... .. Appellant/s

Versus

1. The State of Bihar
2. Bigli Khatoon W/o Late Amraz Alam R/o vill - Badi Rampur, ward no. 3,
P.s.- Raniganj, Distt.- Araria

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vijay Kishore Bharti, Advocate
For the Respondent/s : Mr.Anuj Kumar Shrivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 02-02-2026 Heard learned counsel for the appellant and learned
APP for the State.

2. The present application has been filed on behalf of
the appellant

3. As per the prosecution case, the appellant along
with four accused is alleged to have killed informant's husband.

4. Learned counsel for the appellant has submitted
that the petitioner 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 25.08.2024 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 father of the petitioner 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 23.12.2024, is hereby set aside.

9. Let the appellant, above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Court of 1st Additional Sessions Judge-cum- Special Judge, Araria in Special (Child) Case No. 11/2024 arising out of Raniganj P.S. Case No. 383/2024, 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.

(iv) At the time of accepting the bail bonds of the appellant, the Court below shall verify the statement of the appellant that he has clean antecedent. The bail bonds of the appellant shall only be accepted if it is found that he has clean antecedent.

(Sandeep Kumar, J)

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