

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4916 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- RANIGANJ District- Araria

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CICL S/o Kulanand Mandal Resident of village- Khamkol, Police station- Forbesganj, District- Araria, through his father, Kulanand Mandal, who is the natural Guardian

... .. Appellant/s

Versus

1. The State of Bihar
2. XXX W/o Y R/o vill - Khamkol Dumariya Ward no. 1, P.s.- Forbesganj, Distt.- Araria

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Mukesh Kumar Rana, Advocate
For the Respondent/s	:	Mr.Zeyaul Hoda, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 03-02-2026 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 is accused of abducting informant's daughter and establishing physical relation with her.

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 25.01.2025 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.

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 submissions and the fact that the petitioner has been in custody since one year, this application is allowed and the order dated 24.05.2025, 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 1st Additional Sessions Judge-cum-Special Judge, Araria, 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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