

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4982 of 2025

Arising Out of PS. Case No.-348 Year-2024 Thana- SIWAN MUFFASIL District- Siwan

Saurabh Yadav @ Kallu Yadav S/o Dharmendra Yadav R/o Village -
Pakwaliya, P.S.- Hussainganj, District - Siwan

... .. Appellant/s

Versus

1. The State of Bihar
2. Ajay Kumar S/o Late Nawal Kumar Ram R/o Village - Mahadeva Mission,
P.S - Mahadeva O.P, District - Siwan

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Raghav Prasad, Advocate
For the Respondent/s : Mr.Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 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 was hired
to kill the deceased.

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 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 Spl. P.P. for the State has opposed the prayer of the appellant.

8. Considering the aforesaid facts and from the materials available on record, it appears that if the appellant is released, then he will fall in bad company, hence, this application is dismissed.

(Sandeep Kumar, J)

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