

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5152 of 2025

Arising Out of PS. Case No.-202 Year-2022 Thana- GWALPARA District- Madhepura

Abren Kumar Son of Amir Lal Mahto @ Amir Mahto Resident Of Village-
Sinduwaree Bintoli Ward No 14, PS- Gwalpara District -Madhepura

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Uday Chand Prasad Ms.Pooja Prasad Mr. Manoj Kumar
For the Respondent/s	:	Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 20-01-2026 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 17.11.2025 passed by the learned District and Additional Sessions Judge, 1st-cum-Special Judge, Children Court-cum-SC/ST Act in Children Case No. 14 of 2024 arising out of Gwalpara P.S. Case No. 202 of 2022 registered for the offence under Sections 302/34 of the Indian Penal code and under Section 27 of the Arms Act.

3. As per the prosecution case, the appellant is accused in a case 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 25.09.2022 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 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 17.11.2025, 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 District



and Additional Sessions Judge-1st-cum-Special Judge, Children Court-cum-SC/ST Act/concerned Court below in connection with Children Case No. 14 of 2024 arising out of Gwalpara P.S. Case no. 202 of 2022, 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)

P.Kumar

U			
---	--	--	--

