

**Md. Arman Vs. the State of Bihar**

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**SooperKanoon Citation :** [sooperkanoon.com/974270](http://sooperkanoon.com/974270)

**Court :** Patna

**Decided On :** May-24-2012

**Appellant :** Md. Arman

**Respondent :** The State of Bihar

**Judgement :**

Patna High Court CR. REV. No.106 of 2012 (2) dt.24-01-2012 IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Revision No.106 of 2012  
===== Md.

Arman, Son of Md. Mustaque, under the natural guardianship of his mother Naeema Khaton, Resident of Village-Bela, P.S.-Jainagar, District- Madhubani. ....  
.... Petitioner. Versus The State Of Bihar .... Opposite Party.  
=====

Appearance : For the Petitioner : Mr. For the Opposite Party. : Mr.  
===== CORAM:  
HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH ORAL ORDER (Per:  
HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

24. 01-2012 Heard learned counsel for the petitioner and learned A.P.P. for the State. This application has been filed for granted of bail to the petitioner under the provisions of Juvenile Justice (Care and Protection of Children) Act, 2000. Earlier such prayer was rejected by the Juvenile Justice Board, Madhubani on 17.08.2011 in G.R. Case No. 2715 of 2010 and the appeal was also dismissed by order dated 04.11.2011 passed in Criminal Appeal No. 43 of 2011 by the Sessions Judge,

Madhubani. The petitioner is an accused in Jainagar P.S. Case No. 241 of 2010 registered under Sections 302, 380, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act. Learned counsel for the petitioner submits that Patna High Court CR. REV. No.106 of 2012 (2) dt.24-01-2012 the petitioner having been declared to be a juvenile and also having clean antecedent deserves bail under the Juvenile Justice (Care and Protection of Children) Act, 2000. Learned counsel further submits that the petitioner has been falsely implicated since the informant is a neighbour and both the families have dispute with regard to the day to day affairs like throwing of garbage, etc. Learned counsel submits that false implication would be clear from the fact that the father of the petitioner, who works in the Middle East and at the relevant time was out of India, has also been made accused in the FIR. Learned counsel also submits that all the other co-accused have been granted the privilege of bail. The petitioner is in custody since August, 2011 when he himself surrendered before the court on coming to know about his false implication. Considering the facts and circumstances of the case, let the petitioner, namely, Md. Arman be released on bail upon furnishing bail bond of Rs.5,000/-(five thousand) with two sureties of the like amount each to the satisfaction of Juvenile Justice Board, Madhubani in Jainagar P.S. Case No. 241 of 2010 arising out of G.R. Case No. 2715 of 2010. One of the bailors should be the close relative of the petitioner who is not an accused. The petitioner shall physically present himself Patna High Court CR. REV. No.106 of 2012 (2) dt.24-01-2012 before the Probation Officer, Madhubani at least once a month and also as and when directed by him. The bailor shall also execute a bond of good behaviour with regard to the petitioner before the court concerned. The Probation Officer, Madhubani shall maintain strict supervision over the petitioner. This application accordingly stands disposed off. (Ahsanuddin Amanullah, J.) B.Kr./-