

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CR. REV. No.625 of 2010  
MD.ALAMGIR son of Seikh Attaullah, resident of vill.-Balua Guawari,  
P.S.-Kundwa Chainpur, District-East Champaran-----Petitioner.  
Versus  
STATE OF BIHAR  
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2. 30.4.2010 This revision application is directed against the order dated 10.2.2010 passed in Cr. Appeal no.77 of 2009 by the learned Sessions Judge, East Champaran, Motihari, whereby he has affirmed the order dated 17.12.2009 passed by Juvenile Justice Board, East Champaran, Motihari, in Tr. No.35/09 arising out of Kundwa Chainpur P.S. case no.52 of 2006.

Submission of the learned counsel for the petitioner is that standing on similar footing co-accused Bhola Prasad without the help of Section 12 of the Juvenile Justice (Care and Protection of Children) Act has been allowed bail by a Bench of this Court, so petitioner is also entitled for the same specifically when he remained in custody since 6.1.2007.

I am of the same view that once co-accused with similar allegation without help of Section 12 of the Juvenile Justice (Care and Protection of Children) Act has been allowed bail, this petitioner a juvenile with conflict with law should also be allowed bail but that has not been done.

Accordingly, this revision application is allowed. Both the orders dated 10.2.2010 and 17.12.2009 passed by the court below are set aside.

Let petitioner named above be released on bail on

furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the Juvenile Justice Board, East Champaran, Motihari, in Tr. No.35 of 2009 arising out of Kundwa Chainpur P.S. case no.52 of 2006.

**Sudip**

**( Mandhata Singh, J. )**

