

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.17 of 2024

Arising Out of PS. Case No.-12 Year-2023 Thana- BHAGWAN BAZAR District- Saran

Sahil Sharma @ Sahil Kumar Sharma Son Of Nitendra Sharma @ Nitai
Sharma Resident Of Village- Bhatwalia, Ps- Kopa, Distt- Chapra (SARAN),
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Respondent/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

8 08-01-2025 1. The instant revision is directed against the judgement, dated 31st of October, 2023, passed in Cr. (Juvenile) Appeal No. 19 of 2023 by the learned 1st Addl. Sessions Judge-cum-Children Court, Saran at Chapra. The learned Judge in appeal upon hearing the parties dismissed the same and affirmed the impugned order of rejection of bail of the petitioner. In the instant revision, prayer for bail of the petitioner is reiterated.

2. It is submitted by the learned Advocate for the petitioner that the petitioner, being a juvenile, is detained in a juvenile home for about 2 years after being implicated in a case under Sections 302, 120B and 34 of the IPC. It is alleged that one Rohit Kumar, along with three other persons, committed the murder of the gatekeeper of the juvenile home in order to flee



away. It is further submitted that from the case diary it is ascertained that Rohit Kumar gave the fatal blow by a knife to the deceased, and no specific role could be attributed against the petitioner. Therefore, he may be released on bail. It is also contended that the learned Judge in the Court of Appeal failed to consider the said aspect and refused to grant bail to the petitioner by allowing the appeal.

3. I have also heard the learned A.P.P. and perused the case diary.

4. There is ample material in the case diary about the specific role of the present petitioner in committing the offence. The murder of the gatekeeper of the correctional home was done conjointly by four persons. Two persons held the hands of the victim while the third one caught hold of the legs of the victim, and Rohit Kumar stabbed him with the help of the knife. It might be a fact that at the time of commission of the offence, the petitioner was juvenile, but the manner in which the offence was perpetrated, confidence of this Court does not inspire to grant bail of the petitioner.

5. Accordingly, I do not find any illegality or material irregularity in the judgement dated 31st of October, 2023, passed in Cr. (Juvenile) Appeal No. 19 of 2023.



6. The order passed in the aforesaid appeal is affirmed.

7. The revisional application is accordingly dismissed.

(Bibek Chaudhuri, J)

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