

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3927 of 2026

Arising Out of PS. Case No.-290 Year-2023 Thana- BIDUPUR District- Vaishali

Dama @ Uma @ Om Prakash Kumar S/O Nagendra Rai R/O Village-
Sitalpur, Kamalpur, P.S- Bidupur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 25271 of 2026

Arising Out of PS. Case No.-290 Year-2023 Thana- BIDUPUR District- Vaishali

Ankit Kumar @ Aniket Kumar S/o Raj Kumar Singh @ Raju Singh @ Raju
Kumar Singh Resident of Village- Ramdauli, Police Station- Bidupur, Distt.-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 3927 of 2026)

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

For the Informant : Mrs. Bela Singh, Advocate

Mr. Binod Kumar Paswan, Advocate

(In CRIMINAL MISCELLANEOUS No. 25271 of 2026)

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Md. Mushtaque Alam, APP

For the Informant : Mrs. Bela Singh, Advocate

Mr. Binod Kumar Paswan, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

7 03-07-2026 It is submitted by learned counsel appearing for

petitioners that under wrong impression, earlier, criminal

miscellaneous application was filed, as impugned order dated

19.01.2024 nowhere suggest that same was passed by

Children Court. Accordingly, the bail petitions preferred by



the petitioners was filed under caption of "criminal miscellaneous", which was rejected through Cr. Misc. No.34639 of 2024 vide order dated 06.09.2024 (Annexure-P/1). It is submitted that, later on, during the course of argument, it transpires that the petitioners were below 18 years, therefore, a detailed report was called for from the learned trial court, which was made available to this Court through report dated 28.04.2026 vide Letter No.441, (kept at Flag-C), suggesting that the earlier impugned order dated 19.01.2024 was passed by the Children Court.

2. The present prayer of regular bail on second occasion was preferred by petitioners, which was listed as treating this case as tied up for the reason that the earlier bail order (Annexure-P/1) was rejected by this Court.

3. It is provision of the law that against any order passed by the Children Court, only appeal is to be preferred in view of Section 101 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

4. In view of aforesaid, the learned counsel appearing for petitioner and also the office is directed to take



necessary steps for conversion of present criminal miscellaneous to criminal appeal under Section 101 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and further to list these matters before appropriate Bench.

5. After conversion into appeals, the present applications deemed to be disposed of.

6. The necessary steps be also taken to update in Case Information System (in short "CIS").

(Chandra Shekhar Jha, J.)

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