

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.577 of 2025

In
CRIMINAL APPEAL (SJ) No.2029 of 2024

Arising Out of PS. Case No.-204 Year-2023 Thana- MAJORGANJ District- Sitamarhi

Bhola Raut @ Bhola Kumar Raut S/O Bhikhu Raut Under the guardianship of his father Bhikhu Raut, R/O Village- Dumri Kalan, P.S- Majorganj, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar & Anr.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Advocate
		Mr. Abhishek Kumar, Advocate
For the Respondent/s	:	Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 18-02-2026 The order dated 04.04.2024 passed by the learned 1st Additional Sessions Judge-cum-Presiding Officer, Children Court, Sitamarhi in Majorganj P.S. Case No. 204/2023 registered under Sections 354, 354B, 354D, 376, 504/34 of the Indian Penal Code and Sections 4/8 of POCSO Act, whereby and whereunder the prayer for bail of the revisionist has been rejected, is under challenge in this revision petition.

2. The learned counsel for the petitioner submits that the age of the petitioner was assessed to be 17 years 21 days on the date of occurrence and the case of the petitioner was transferred to the Children Court *vide* order dated 05.02.2024 passed by the learned Juvenile Justice Board. Therefore, for the



first time, the orders were passed on the prayer of the petitioner for grant of bail by the learned Children Court.

3. In the light of aforesaid facts and circumstances, it is clear that the an appeal would lie under Section 101(5) of the Juvenile Justice (Care and Protection of Children) Act, 2015 (hereinafter referred to as the JJ Act) and not a revision under Section 102 of the JJ Act.

4. At this stage, learned counsel for the petitioner submits that initially the petitioner has rightly filed Cr. Appeal (SJ) No.2029 of 2024. However, the petitioner converted the criminal appeal into a criminal revision on the orders of learned Coordinate Bench of this Court dated 18.04.2025.

5. Even though, there is order of learned Coordinate Bench directing the petitioner to convert his criminal appeal into criminal revision, I do not think any order could be passed against the statute. Moreover, the learned Coordinate Bench, perhaps, missed the point that the order passed by the learned 1st Additional Sessions Judge-cum-Presiding Officer, Children Court, Sitamarhi was not under any appellate jurisdiction and it was an original order which is being assailed before this Court. Therefore, only an appeal under Section 101(5) of JJ Act would lie.



6. At this stage, the learned counsel for the petitioner seeks permission to convert the present criminal revision petition into a criminal appeal within a week.

7. Permission is accorded.

8. Learned counsel for the petitioner is directed to convert the present criminal revision petition into a criminal appeal within a week.

9. Office is directed to extend all cooperation towards conversion.

10. After the conversion, the petitioner is at liberty to mention the matter for early hearing before the roster Bench.

(Arun Kumar Jha, J)

V.K.Pandey/-

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