

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4921 of 2025

In
CRIMINAL REVISION No.995 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- FULKAHA District- Araria

Md. Arman @ Arman Ansari S/O Mahuddin @ Majuddin Ansari R/o vill -
Milki Dumariya, ward no. 7, P.s.- Fulkaha, Distt.- Araria, Under Guardianship
of Mother Amina Khatun, W/o Majuddin @ Majuddin Ansari, R/o vill - Milki
Dumariya, ward no. 7, P.s.- Fulkaha, Distt.- Araria

... .. Appellant/s

Versus

1. The State of Bihar
2. XXX D/o XXX R/o vill - Milki Dumariya, ward no. 9, P.S.- Fulkaha, Distt.-
Araria

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vijay Kishore Bharti, Advocate
For the Respondent/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 02-02-2026 Heard learned counsel for the appellant and learned
APP for the State.

2. The present application has been filed on behalf of
the appellant

3. As per the prosecution case, the appellant along
with others is alleged of committing gang rape.

4. Learned counsel for the appellant has submitted
that the petitioner has been held to be juvenile and on the date of
occurrence he has been assessed to be less than eighteen years.

5. Learned counsel for the appellant further relies
upon the provisions of the Section 3(i), (iv), (v) and (xiv) of the



Juvenile Justice (Care and Protection of Children) Act, 2015. He also relies upon Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and has submitted that bail is a rule and denial of bail to a juvenile is an exception.

6. He further submits that though the appellant is a child in conflict with law but he has remained in jail since 12.02.2025 and the Court below has not considered the law with regard to the release of juvenile under the Juvenile Justice (Care and Protection of Children) Act, 2015.

7. Learned A.P.P. for the State has opposed the prayer of the appellant on the ground that the appellant along with others has committed gang rape.

8. Considering the allegations and the fact that the appellant has already fallen in bad company, this Court is not inclined to grant bail to the appellant.

9. Accordingly, this application is dismissed.

(Sandeep Kumar, J)

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