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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22694 of 2015

Arising Out of PS.Case No. -134 Year- 2014 Thana -BELDAUR District- KHAGARIA

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Mithlesh Kumar @ Mithilesh Kumar Son of Late Lal Mani Yadav Resident of village - Telihar (Bela Naubad), P.S. Beldour, District - Khagaria

.... Petitioner/s

VERSUS

THE STATE OF BIHAR .... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Mrityunjay Kumar, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No.2(App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI

ORAL ORDER

2 08-07-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor.

From the written report itself age of petitioner has been identified as 16 years. Therefore, instead of passing the order impugned by the learned Sessions Judge as well as by the learned lower court, there should have been an effort at their end to inquire into the matter whether petitioner happens to be juvenile or not.

Accordingly, matter is remitted back to the learned lower court to transmit the record before the Juvenile Justice Board who will conduct an enquiry and in case, petitioner is found juvenile, will pass appropriate order in accordance with law.

With the aforesaid observation, instant petition is disposed of.

(Aditya Kumar Trivedi, J)

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