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**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**Criminal Appeal (DB) No.417 of 2015**

Arising Out of Begusarai PS.Case No. -360 of 1997, P.S.BEGUSARAI TOWN, District-BEGUSARAI

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1. Sanjay Kumar Rai @ Sanjay Kumar, son of Naresh Rai @ Ram Naresh Prasad Singh, Resident of village- Refinery, P.S.- Begusarai Town, District-Begusarai.

.... .... Appellant

Versus

1. The State of Bihar

.... .... Respondent

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**Appearance :**
For the Appellant/s : Mr. Md.Imteyaz Ahmad
For the Respondent/s : Mr. Smt.S.B.Verma (App)

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**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE**
**and**
**HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER
**(Per: HONOURABLE THE ACTING CHIEF JUSTICE )**

4 11-08-2015 Heard Mr. Ajay Kumar Thakur, learned counsel for the appellant, and Mr. S.B.Verma, learned Additional Public Prosecutor, appearing for the State.

By the order, dated 28.05.2015, a direction was issued, in this appeal, to the Juvenile Justice Board, Begusarai to determine the correctness of the plea of appellant's juvenility, who had claimed to be a juvenile at the time, when the alleged occurrence, leading to the appellant's conviction had taken place.

The Juvenile Justice Board, Begusarai, has now submitted its report, which shows that the appellant was a juvenile at the time of the alleged occurrence.

In view of the above and in the interest of justice, appellant's conviction, by the judgment and order, dated 17.04.2015, passed in Sessions Trial No. 287 of 1998, by the Adhoc Additional District & Sessions Judge-II, Begusarai, is hereby set aside and the case of the appellant is remanded to the Juvenile Justice Board, Begusarai, for proceeding further in accordance with law.

In terms of the above observations and directions, this appeal shall stand disposed of.

**(I.A. Ansari, ACJ)**

**(Chakradhari Sharan Singh, J)**

A.I./-

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