

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.325 of 2014

Arising Out of PS.Case No. -428 Year- 2009 Thana -null District- BHAGALPUR

1. Binod Tanti Son of Prasadi Tanti resident of Ghoshpur, Police Station- Sabour, District- Bhagalpur. Under the Natural Guardianship of Kamleshwari Mandal S/o Doman Mandal, vill.- Ismilpur, Anchal + P.S.- Gopalpur, Distt.- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

2. Pinku Tanti S/o Mitali Tanti, vill.Choti Dostani, P.S. Goradih, Distt. Bhagalpur

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra, Advocate

For the State : Mr. C. Jawahar, APP

For Opposite Party No.2 : Mr. Janki Nandan Prasad, Advocate

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 14-09-2015

The Petitioner seeks revision of the order dated 24.6.2013, by which 2nd Additional District & Sessions Judge, Bhagalpur in connection with Sessions Trial No.1060 of 2009 (Trial No.428 of 2009) has refused to declare the Petitioner a minor on the date of occurrence.

Counsel for the Petitioner points out the report of the Medical Board dated 15.12.2012, according to which he was above 18 years on the date of assessment which would make him around 14 years on the date of occurrence which was 6.4.2008.

Considering such aspect of the matter, the 2nd Additional Sessions Judge, Bhagalpur is directed to pass appropriate orders

within a period of three weeks from the date of receipt of this order in regard to age of the Petitioner in the light of the medical opinion.

The application stands disposed of with the aforesaid observations.

(Anjana Prakash, J)

Narendra/-

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