

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1752 of 2010

Arising Out of PS.Case No. -0 Year- null Thana -null District- GOPALGANJ

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Chunnu Baitha, son of Ram Chandra Baitha, resident of village- Belwa Mathiya,
P.s.-Kuchaikote, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar, &
2. Ravi Manjhi, son of Ram Vilash Manjhi, resident of village- Belwa Mathiya,
P.s.-Kuchaikote, District- Gopalganj

.... Respondent/s

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Appearance :

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

For the Respondent/s : APP

Mr. Rajesh Kumar Sinha, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 07-04-2015

1. The Petitioner seeks revision of the order dated 17.02.2010 passed in Cr. Appeal No.05 of 2010 by which the 3rd Additional Sessions Judge, Gopalganj, has affirmed the order dated 04.01.2010 passed in J.E. Case No.59 of 2009 by the Principal Magistrate, Juvenile Justice Board, declaring the Opposite Party No.2 as juvenile.

2. It has been submitted that there is genuine controversy with regard to age of the Opposite Party No.2 and the Informant could not contest the enquiry because of wrong dates having been furnished by him.

3. Since a balanced view must be taken in this regard, the matter is remanded to the Principal Magistrate, Juvenile Justice Board,

Gopalganj, to hold an enquiry giving opportunity to both the parties and conclude the same within three months from the date of receipt/production of a copy of this order.

4. The application stands disposed off with the aforesaid observation.

(Anjana Prakash, J)

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