

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1212 of 2012

Arising Out of Tarari P.S. Case No. 100 Year- 1998 Thana -null District- -

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Anjani Rai @ Chhedi Rai, S/O Sri Ram Pravesh Rai @ Jhappan Rai, R/O Village-
Jhetwar, P.S- Tarari, Distt- Bhojpur.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Lal Babu Sah, son of Sri Mohan Sah, r/o village Jethwar, P.S. Tarari, Distt.
Bhojpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. D.K. Singh, Adv.
Ms. Anuradha Kumari, Adv.
For the State : Mr. Yogendra Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 13-04-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks revision of the order dated 3.9.2012 by which the 2nd Additional Sessions Judge, Ara, in Sessions Trial No. 161 of 2000 arising out of Tarari P.S. Case No. 100 of 1998 had refused to accept the Petitioner a juvenile.

It has been submitted on behalf of the Petitioner that while the occurrence is of November, 1998, the Petitioner was medically examined by the Medical Board and opined to be the age between 17-18 years on 19.4.1999. As per the law prevailing at that point in time, he was an adult. However, in view of the amendment in 1986 Act defining a juvenile to be below 18 years and such

advantage could be given even retrospectively, the Petitioner submits that now he can claim to be a juvenile and should be tried by the Juvenile Justice Board.

Considering this aspect of the matter, the Second Additional Sessions Judge, is directed to pass an appropriate order in terms of Section 2 of the Juvenile Justice Act, 1986, within a period of three weeks from the date of receipt of this order.

With this observation, the application stands disposed off.

(Anjana Prakash, J)

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