

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.186 of 2016

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Gyanti Devi, wife of Late Binod Kumar, Resident of village- Muzouana,
P.S.- Parsa, District- Chapra

.... Petitioner/s

Versus

1. The State of Bihar
2. Pintu Kumar @ Vijay Kumar, son of Birbali Prasad, Resident of village-
Pokharpur, P.S. Parsa, District- Chapra

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar, Advocate

For the Respondent/s : Mr. Surendra Pd.Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 23-11-2016 Learned counsel for the petitioner has submitted that

the petitioner, because of wrong legal advice could not question

the legality of the order dated 26.06.2015 passed by the Juvenile

Justice Board whereby he declared opposite party No. 2 as

juvenile by filing an appeal. It has been submitted that the

juvenility of opposite party No. 2 has been declared on the basis of

the report of the Medical Board but on the date when the opposite

party No. 2 is said to have been examined by the Medical Board,

he was on leave from the remand home. He has submitted that the

fact whether the person who had appeared before the Medical

Board for examination, was opposite party No. 2 itself is a serious

doubt.

Considering the submission advanced on behalf of the petitioner and his request to withdraw this application for the purpose of challenging the order dated 26.06.2015 passed by the Juvenile Justice Board by filing appeal, the permission to withdraw is accorded.

This application stands disposed of accordingly with a liberty to the petitioner to challenge the said order by filing an appeal. If any question of limitation arises, on filing of appeal against the said order dated 26.06.2015, learned court below may consider the plea that under wrong legal advice, the petitioner was pursuing his remedy before the High Court.

(Chakradhari Sharan Singh, J)

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