

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.311 of 2016

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1. Vishal Kumar minor son of Ravi Shankar Mahto, father and natural guardian, resident of Village- Nakhas Pind, P.S. Malsalami, Dist- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Advocate

For the Respondent/s : Mr. Nityanand, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

4 23-11-2016

The petitioner is aggrieved by an order dated 27.02.2016 passed by learned Additional Sessions Judge-I , Patna in Criminal Appeal No. 200 of 2015 arising out of J.J.B. Case No. 419 of 2015. The petitioner is an accused in Malsalami P.S. Case No. 176 of 2015 registered for the offences punishable under Section 376 of the Indian Penal Code and Section 4 of the POCSO Act.

The petitioner has been declared as juvenile.

The Juvenile Justice Board, however, rejected his application for bail by an order dated 27.02.2016 against which Criminal Appeal No. 200 of 2015 was preferred before the Court of learned Sessions Judge, Patna which came to be dismissed by the impugned order.

Learned counsel for the petitioner, apart from his

submission that his application for bail has been rejected by the Juvenile Justice Board on erroneous grounds, has submitted that the prosecutrix has been examined in course of enquiry before the Juvenile Justice Board and she has denied the allegation of rape. In her deposition, she is said to have stated that she had made statement under Section 164 of the Code of Criminal Procedure under coercion.

However, since the enquiry before the Juvenile Justice Board is at advance stage, I am not inclined to entertain this application seeking revision of the order passed by learned Additional Sessions Judge-I, Patna. This application is disposed of with an observation that the enquiry before the Juvenile Justice Board in Case No. 419 of 2015 must be expedited and concluded within maximum period of two months from the date of communication of the present order.

(Chakradhari Sharan Singh, J)

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