

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2339 of 2016

Arising Out of PS.Case No. -329 Year- 2013 Thana -MASAURHI District- PATNA

Bibha Kumari S/o Dinanath Prasad, Resident of Village- Islampur, P.S.-
Masaurhi, District- Patna. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Ashok Kumar Singh 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 19-01-2016

It has been contended by the learned counsel for the petitioner that on the date of occurrence, the petitioner was a juvenile as her date of birth is 2nd February, 1999 and the alleged occurrence took place on 17.09.2013.

In my opinion, in case of a juvenile in conflict with law, an application under Section 438 of the Code of Criminal Procedure would not be maintainable.

Accordingly, the application is disposed of as not maintainable. It would be open to the petitioner to move for bail before the appropriate court/board for grant of bail in the present case.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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