

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28093 of 2014

=====

Jaswant Kumar Son of Shree Jai Kumar Thakur R/o Village Sakri,
P.S. Sakri, District Darbhanga

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

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

For the Opposite Party/s : Mr. M.K.Khare(APP)

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

- 8. 04-10-2017** Heard learned counsel for the petitioner. No
one appears on behalf of the State.

Earlier, this court had called for a report with
respect to the present status of the Trial No. 349/2009
which was transferred to the Juvenile Justice Board vide
order dated 06.11.2008 passed by learned 1st Additional
Sessions Judge, Samastipur in Criminal Appeal No.
61/2002.

The report has been received and this court
has perused the report dated 18th September, 2017
submitted by the Principal Magistrate, Juvenile Justice
Board, Samastipur. A perusal of the report would show
that after transfer of the records to Juvenile Justice Board,



Samastipur, this petitioner never appeared for his age determination to claim his juvenility. The report also shows that despite summon and bailable warrant against the petitioner, his appearance could not be procured, thus, the case record is still posted for appearance of the petitioner.

Learned counsel for the petitioner wants this court to go into the factual part of the allegation for the purpose of quashing of the entire criminal proceeding. This Court, however, is not ready to go into the factual aspect of the allegation. The petitioner should, if so advised, appear before the Juvenile Justice Board, Samastipur without losing further time, and if the petitioner appears within four weeks from today, the Juvenile Justice Board, Samastipur is directed to take up the matter on day to day basis and conclude the trial within the maximum statutory period of four months.

This application is, accordingly, disposed of.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

U		T	
---	--	---	--

