

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.982 of 2016

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1. Rajesh Raushan minor Son of Upendra Singh under the guardianship of natural father Upendra Singh. Resident of Village- Nauan, Police Station- Dinara, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Adv

For the State : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date: 01-03-2017

In compliance of the order of this Court dated 14.02.2017, the Chief Judicial Magistrate, Rohtas at Sasaram has submitted his report which speaks for itself. The report was called in view of the information submitted by the Principal Magistrate, Juvenile Justice Board, Rohtas at Sasaram through letter dated 31.01.2017, that inquiry in connection with J.J.B. Case No. 49 of 2016, pending awaiting chargesheet and case diary. Learned C.J.M., Rohtas at Sasaram in his report has stated that the chargesheet and case diary could not be sent by learned C.J.M., Dehri-on-sone to the Juvenile Justice Board, which have now been procured and sent to the Juvenile Justice Board, Rohtas at Sasaram on 27.02.2017.

There is no apparent justification as to why the



chargesheets and case diaries are not being made available to the Juvenile Justice Boards which has the effect of delaying completion of inquiry contemplated under Section 14 of the Juvenile Justice (Care & Protection of Children) Act, 2015 (hereinafter referred to as the Act).

I direct all Chief Judicial Magistrates and Sub Divisional Judicial Magistrates in the State of Bihar to ensure that necessary papers be made available to the concerned Juvenile Justice Boards for expeditious conclusion of inquiry. The statute prescribes period for conclusion of inquiry under Section 14 of the Act and inaction on the part of the courts to make such papers available frustrates the very purpose of the beneficial legislation.

In the present case, the petitioner is a juvenile in conflict with law and is an accused for commission of offence punishable under Section 395 of the Indian Penal Code. His application for release on bail has been rejected by the Juvenile Justice Board and learned Sessions Judge, Rohtas at Sasaram on the ground that the petitioner appeared to be in association with known criminals and in case of his release, he may again fall in their association.

The petitioner is aggrieved by the said orders of the Juvenile Justice Board and learned Sessions Judge, Rohtas at Sasaram



in the present application.

Now, since necessary papers have been made available to the Juvenile Justice Board, Rohtas at Sasaram instead of interfering with the impugned orders, I dispose of this application with a direction to the Juvenile Justice Board to conclude inquiry contemplated under Section 14 of the Act within a period of six months from the date of communication of the present order. If inquiry is not concluded within the aforesaid period of six months, the petitioner shall be at liberty to renew his prayer for bail before appropriate forum.

This application stands disposed of, accordingly.

(Chakradhari Sharan Singh, J)

Ranjan/-

AFR/NAFR	NAFR
CAV DATE	N.A
Uploading Date	08.03.2017
Transmission Date	08.03.2017

