

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.685 of 2016

Arising Out of PS.Case No. -null Year- null Thana -null District- BHABHUA (KAIMUR)

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1. Ramesh Kewat Son of late Moti Kewat Resident of Village- Matar, PS. Bhagwanpur, district Kaimur at Bhabhua.

.... Petitioner/s

Versus

1. The State of Bihar
2. Anand Kumar son of Sri Vijay Kewat resident of Village- Matar, P.S Bhagwanpur, District Kaimur at Bhabhua.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh

For the Respondent/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

JUDGMENT AND ORDER

ORAL

Date: 09-01-2017

The Opposite Party No. 2 is an accused in Adhaura Police Station Case No. 01 of 2014, which was registered against unknown. The Opposite Party No. 2 was declared a juvenile and accordingly an enquiry was held under Section 14 of the Juvenile Justice (Care and Protection of Children) Act, 2015. The Opposite Party No. 2 denied the charge levelled against him.

2. At the enquiry, several prosecution witnesses were examined. On evaluation of the evidence adduced at the enquiry, the Juvenile Justice Board, Bhabhua (Kaimur), by judgment and order, dated 11.04.2016, acquitted the



Opposite Party No. 2 of the charge, giving him benefit of doubt.

3. The present revision application, under Section 53 of the Juvenile Justice (Care and Protection of Children) Act, 2000, has been filed against the said judgment and order of the Juvenile Justice Board, Bhabhua (Kaimur).

4. I have carefully gone through the judgment and order impugned. No ground has been taken in this application seeking revision that evidence of the witnesses has been wrongly described in the judgment and order. The Juvenile Justice Board, Bhabhua (Kaimur) noticed material contradictions in the statement of the witnesses at the enquiry.

5. It cannot be said, in my view, on perusal of the judgment and order that on the basis of the evidence referred to in the said judgment and order, conviction of Opposite Party No. 2 could have been the only possible view. Once, the acquittal has been recorded by a competent authority, the Court, in a revision proceeding, is not required to re-evaluate and/or re-appreciate the evidence. Interference in such matters can be required only if the findings are perverse, being contrary to the evidence on record.

6. I do not find any such ground in the present application. This application has no merit, which is accordingly



dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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