

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.636 of 2014

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1. Tajindra Kaur wife of Sri Shyam Bihari resident of Harmandir Gali, Police Station - Chowk, Patnacity, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar .
2. Rahul Patel son of Sri Parash Nath Patel resident of Chowk (Tarkari Bazar), Police Station - Chawk, Patnacity, District - Patna

.....Accused/Opposite Party.

3.Sabnam Chandra, Member of J.J.B. Gayghat Patna City on 26.05.2014. Mob. No. 9835645154, Present living in her own house at Kurji More, P.S. Digha, Patna.
4.J.P. Singh (Jai Prakash Singh), Member of J.J.B. Gayaghat Patna City on 26.05.2014. At Rajiv Nagar, P.S. Rajiv Nagar, Patna. Mob.9334816475, present working in Balsakha (N.G.O), Patna.

....Opposite Party/ Respondent

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Appearance :

For the Petitioner/s : Mr. Salahuddin Khan, Adv & Mr. Rajendr Prasad, Adv
For the O.P. No. 2 : Mr. Tuhin Shankar, Adv & Mr. Gopal Kumar, Adv & Mr. Prashant Kashyap, Adv
For the O.P. No.3 : Mr. Amaresh Kumar Sinha, Adv
For the State : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL JUDGMENT

Date: 01-03-2017

An order dated 26.05.2014 passed by Juvenile Justice Board, Patna in J.J.B. Case No. 326 of 2005 arising out of Chowk P.S. Case No. 207 of 2002, is being assailed in the present application filed under Section 53 of the Juvenile Justice (Care & Protection of Children) Act, 2015 (hereinafter referred to as the Act).

At the very outset learned counsel appearing on behalf of the opposite parties have raised a preliminary objection over the maintainability of this application referring to Section 52 of the



Act and has submitted that since the petitioner has remedy of appeal against the order passed by the Juvenile Justice Board, this revision application cannot be maintained.

I find substance in the said submission. This application is, accordingly, dismissed as not maintainable.

The petitioner shall have, however, liberty to question the validity of the impugned order in the present application before appropriate forum. It is also indicated that if any question of limitation arises, the fact that the petitioner was pursuing her case before this Court shall be taken into account.

(Chakradhari Sharan Singh, J)

Ranjan/-

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

