

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1125 of 2016

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1. Lakhindra Kumar S/o Bashudev Singh Resident of Village- Bahadurpur Patory, P.S.- Patory, District- Samastipur through his natural guardian mother namely Ishri Devi W/o Bashudev Singh, Resident of Village- Bahadurpur Patory, P.S.- Patory, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Respondent/s : Mr. Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 01-03-2017 Perused the report dated 23.02.2017 submitted by the learned Chief Judicial Magistrate, Samastipur, from which it appears that the copies of the charge-sheet, case diary and cognizance order have since been transmitted to the Juvenile Justice Board, Samastipur on 23.02.2017. There is no explanation, however, as to why these papers were not sent to the Juvenile Justice Board earlier.

I record my displeasure over the manner in which the documents are being transmitted to the Juvenile Justice Board by the Courts below.

The petitioner is an accused of offence punishable under Sections 302/34 of the Indian Penal Code in Patory P. S. Case No. 102/2016. He has been declared to be a juvenile as on the date of the occurrence and an enquiry being J.J.



Enquiry Case No. 1220 of 2016 is pending before the Juvenile Justice Board, Samastipur.

His application for release on bail has been rejected by the Juvenile Justice Board by order dated 19.07.2016. His appeal against the said order, dated 19.07.2016 has been rejected by the learned Sessions Judge, Samastipur in Criminal Appeal No. 55 of 2016, aggrieved by which the present criminal revision application has been filed under Section 53 of the Juvenile Justice (Care & Protection of Children) Act, 2000 (hereinafter referred to as the Act).

Considering the circumstance that now the documents have been made available to the Juvenile Justice Board for the purpose of proceeding with the enquiry under Section 14 of the Act, without interfering with the impugned orders, I dispose of this application with a direction to the Juvenile Justice Board, Samastipur to conclude enquiry within a period of six months from the date of the communication of the present order. If the enquiry 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.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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