

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1216 of 2016

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1. Chunnu Singh Son of Late Shailendra Singh resident of Village - Panki,
P.S. Sialo, District - Nalanda, At present Chandmari Road, Chutkula Nand
Gali, P.S. Kankarbagh, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Respondent/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 30-01-2017 Let the defect as pointed out by the Stamp
Reporter be ignored. Though the case has been listed under
the heading "Orders" pointing out certain defects, it has been
considered appropriate to dispose of this application on
merits.

2. I have heard learned counsel for the petitioner on
merits.

3. The present application has been filed against the
judgment and order, dated 22.12.2015, passed by the
learned Sessions Judge, Nalanda in Criminal Appeal
(Juvenile) No. 40 of 2015, whereby he has dismissed the said
appeal preferred against an order dated 20.11.2015 passed
by the Juvenile Justice Board, Bihar Shariff at Nalanda in
Juvenile Justice Board Case No. 143 of 2015 arising out of



Silao P. S. Case No. 128 of 2000.

4. From the impugned order passed by the Juvenile Justice Board and the learned Sessions Judge, Nalanda, I find that age determination of the petitioner has been done on the basis of the report of the Medical Board. The Medical Board found the age of the petitioner to be between 38 years to 40 years as on 12.10.2015. The date of occurrence being 15.04.2000, the petitioner has been held to be much above 18 years as on the date of the occurrence and, therefore, not a juvenile.

5. Learned counsel appearing on behalf of the petitioner has submitted that there were several documents produced at the time of age determination enquiry before the Juvenile Justice Board including a birth certificate issued by the Patna Municipal Corporation. The authenticity of the said certificate has been doubted by the learned Sessions Judge in his judgment and order impugned from which it appears that the said certificate has been issued on 16.09.2015 on the basis of a report made by/on behalf of the petitioner nearly 15 years after the date of occurrence.

6. I do not find any illegality in the impugned order.

7. This application has no merit and is, accordingly, dismissed.

ArunKumar/-

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(Chakradhari Sharan Singh, J)

