

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1151 of 2017

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Kanhaiya Lal Rai @ Kanhaiya Rai, aged about 14 years
through his natural guardian & father namely Ramashray
Rai, Resident of Village- Dadhiya Asadhar, P.S.- Angarghat,
District- Samastipur, Bihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Prakash Sahay, Adv.

For the State : Mr. Md. Asalam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 13-02-2018 The petitioner is aggrieved by the judgment and
final order dated 20.05.2015, passed by the learned Principal
Magistrate, Juvenile Justice Board, Samastipur, in Juvenile
Enquiry No. 730 of 2014, bearing G.R. No. 540 of 2013,
arising out of Samastipur Mahila P.S. Case No. 15 of 2013,
whereby he has been convicted for the offences punishable
under Section 376 of the Indian Penal Code and Section 4 of
the Prevention of Children from Sexual Offences Act, 2012
and has been sentenced to undergo rigorous imprisonment
for 2 years; as also as against the judgment passed in Cr.



Appeal No. 39 of 2013 by the learned Fast Track Court No.- II, Samastipur, dated 23.05.2017, whereby the judgment of the Juvenile Enquiry Board has been upheld and affirmed.

Looking at the deposition of P.W.-5, who was one of the members of the Medical Board, which had examined the victim, who was of 9 years of age at the time of the sexual assault, I am not inclined to interfere with the conviction as also the sentence imposed upon the juvenile petitioner.

The present petition is thus dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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