

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21832 of 2018

In
Criminal Appeal (DB) No.355 of 1994

Arising Out of PS. Case No.- Year- Thana- District- Saran

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Rabindra Kahar @ Rabindra Kumar aged about 41 Years S/o Jagdeo Kahar,
R/o Mohalla- Ratanpura Dharmnath Mandir, P.S.- Bhagwan Bazar , District-
Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-04-2018

This application has been filed under Section 482 of Cr.P.C. for modification and recall of the order passed by us in Criminal Appeal (DB) No.355 of 1994 on the ground that appellant No.3, petitioner herein namely Rabindra Kahar @ Rabindra Kumar, was a minor at the time of occurrence, but this issue was never raised by the respective counsel either before the trial court or before the High Court when the appeal was being heard and by contending that with regard to the said appellant an enquiry be conducted in accordance to the requirement of Section 7A of the Juvenile Justice (Care and Protection of Children) Act,



2000, this application has been filed for review or recall of the order.

Keeping in view the grounds raised in the application, we are of the considered view that once the criminal appeal has been decided by us on merit, we have no jurisdiction to review or recall the order and order for such an enquiry, as prayed for. As such, we see no reason to make any indulgence into the matter.

The application is dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	24.04.2018
Transmission Date	

