

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40778 of 2017

Arising Out of PS.Case No. -253 Year- 2015 Thana -ARA NAGAR District- BHOJPUR

=====

Munna @ Munna Sonar @ Munna Kumar Sony, Son of Sheo Nath Sonar @
Sheo Nath Mistry, Resident of Village/Mohalla-Anand Nagar, P.S.-Ara
Town, District-Bhojpur at Ara (Bihar).

.... Petitioner

Versus

1. The State of Bihar

2. Lokesh Yadav Son of late Krishnaje, Resident of
Village/Mohalla-Shivganj, Ara (Yadav Cycle,), P.S.-Ara Town,
District-Bhojpur At Ara (Bihar).

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 03-04-2018

In the present application preferred under Section
482 of the Code of Criminal Procedure, the petitioner has prayed
for quashing the order dated 18.04.2017 passed by the learned
Additional District and Session Judge-1st, Bhojpur at Ara in
Sessions Trial No.304 of 2016 arising out of Ara Town P.S.
Case No.253 of 2015 registered under Sections 302 read with 34
of the Indian Penal Code and 27 of the Arms Act whereby he has
rejected the claim of juvenility of the petitioner holding him



major on the date of alleged occurrence.

In my considered opinion, against an order of rejection of claim of juvenility, an application under Section 482 of the Code of Criminal Procedure would not be maintainable. The petitioner has a statutory remedy under the Juvenile Justice (Care and Protection of Children) Act.

In that view of the matter, the application is dismissed as not maintainable. However, the petitioner would be at liberty to challenge the impugned order before this Court in accordance with law.

(Ashwani Kumar Singh, J.)

Sanjeet/-

U		T	
---	--	---	--

