

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.442 of 2018

Arising Out of PS. Case No.-77 Year-2016 Thana- BIHRA District- Saharsa

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Lav Kumar @ Golu Yadav @ Golu Kumar, son of Digambar Yadav, resident of Village- Nandlali, P.S. Bihara, District Saharsa, through his legal Guardian, namely Jagia Devi, Wife of Shital Yadav, resident of Village- Nandlali, P.S. Bihara, District Saharsa (Grand Mother).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Amardeep Kumar, Son of Late Rabindra Yadav, resident of Village- Nandlali, Ward No. 2, P.S. Bihara, District- Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra
For the Respondent/s : Mr. Sri Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 15-05-2018 The petitioner was declared a juvenile by the Juvenile Justice Board, Saharsa in connection with Bihra P.S. Case No. 77 of 2016 which was instituted for offences under Sections 379, 307, 302 and other Sections of the Indian Penal Code.

However, at the instance of the informant, the learned appellate court viz. the learned Sessions Judge, Saharsa in Cr. APP No. 25 of 2017 set aside the order of the Juvenile Justice Board, Saharsa declaring the petitioner a juvenile and remitted the case back to the JJB, Saharsa for giving a fresh hearing and deciding the matter afresh after holding an enquiry with respect to the age/juvenility of the petitioner.



The aforesaid order was passed by the learned Sessions Judge on the ground that different date of birth was being shown in different educational certificates.

Since the matter has been remitted to the JJB, Saharsa for deciding the age of the petitioner afresh, this Court does not wish to interfere with the appellate order.

However the JJB, Saharsa is directed to complete the proceedings as early as possible without there being any delay, preferably within a period of three months. Needless to state that the JJB, Saharsa shall take all the evidence adduced in favour of the petitioner and the informant and will decide the issue.

With the aforesaid observation, the present revision petition is disposed of.

(Ashutosh Kumar, J)

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