

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1206 of 2016

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Jairaj Mahto, Son of Late Mainu Mahto, resident of Village- Suja, P.S.- Muffasil, District- Begusarai under the guardianship of his mother Mahal Devi, W/o Late Mainu Mahto, resident of Village- Suja, P.S.- Muffasil, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Devendra Jha, Son of Late Roop Kant Jha, resident of Village- Pahsara, P.S.- Mawkothe, District- Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Respondent/s : Mr. Sir Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 18-06-2018 The petitioner was made accused in connection with Nawkothe P.S. Case No. 58 of 2015 dated 03.06.2015 instituted for the offence under Section 366(A)/34 of the Indian Penal Code in which charge-sheet has been submitted under Section 376 of the Indian Penal Code as well.

The prayer of the petitioner for being declared a juvenile was allowed by the Juvenile Justice Board but was not released from the remand home. As against the aforesaid order, the juvenile/petitioner preferred an appeal. Simultaneously, the informant of this case also preferred an appeal against the order passed by the Juvenile Justice Board declaring the petitioner a juvenile.

The appeal of the petitioner was dismissed.



The appeal preferred by the informant was allowed and the order of the Juvenile Justice Board declaring the petitioner to be a juvenile was set aside and the matter was remanded to the Juvenile Justice Board for according a fresh consideration on the issue and to pass a reasoned order thereafter.

Mr. Jai Prakash Singh, learned advocate for the petitioner submits that though petitioner has challenged the aforesaid order of setting aside the order of juvenility but has also submitted that pursuant to the order passed by the Appellate Court, a fresh enquiry was made and perhaps an order was passed by the Juvenile Justice Board.

In that event, Mr. Jai Prakash Singh, learned advocate for the petitioner seeks permission to withdraw the present revision petition in order to enable him to challenge afresh the order passed by the Juvenile Justice Board in case he feels aggrieved by the same.

Permission is accorded.

The present revision petition is dismissed as withdrawn with the liberty aforesaid.

(Ashutosh Kumar, J)

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