

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No. 565 of 2018

Arising Out of PS Case No.-352 Year-2017 Thana- BHAGWAN BAZAR District- Saran

Raja Singh @ Raja Surath, Son of Balwant Singh, Resident of Village - Lallu Mor Thana Road, Police Station - Bhagwan Bazar, District Saran at Chapra under guardianship of Balwant Singh, father of the petitioner.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Singh, Mr. Vipin Kumar Singh and Ms. Smriti Singh, Advocates
For the Opposite Party/s	:	Mr. Chandra Mohan Jha, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 13-08-2019

Heard learned counsel for the petitioner; learned APP for the State and learned counsel for the informant, who has *suo motu* appeared.

2. The present application has been filed under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (hereinafter referred to as the 'Act') for setting aside the order dated 13.04.2018 passed by the 1st Additional Sessions Judge, Saran at Chapra in Cr. (Juvenile) Appeal No. 16 of 2018 arising out of Bhagwan Bazar PS Case No. 352 of 2017, by which the appeal filed by the petitioner against order dated 22.02.2018



passed by the Juvenile Justice Board, Chapra in JJB Case No. 1222 of 2018, has been rejected.

3. By the order impugned, the petitioner has been directed to be treated as an adult though being a juvenile, as he was over sixteen years of age on the date of occurrence, since the crime alleged was of heinous nature, as per the provisions of the Act.

4. After hearing learned counsel for the parties and considering the facts and circumstances of the case, the Court does not find any error, either in the order of the Juvenile Justice Board or the appellate Court, directing that the trial of the petitioner shall be conducted treating him to be an adult in view of the crime being heinous in nature and such provision existing in the Act. Such order has also been passed after proper assessment of the mental status of the petitioner.

5. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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