

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No. 275 of 2018

Arising Out of PS. Case No.-62 Year-2015 Thana- SONO District- Jamui

Matru Yadav S/o Late Fuleshwar Yadav, R/o Village- Balthar, P.S.- Sono,
District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Jhari Yadav, S/o Mani Yadav, Resident of Village- Balthar, Police Station-
Sono, District- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amrendra Kumar, Advocate
For the State	:	Mr. Md. Arif, APP
For the Opposite Party No.2	:	Mr. Rakesh Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 04-11-2019

Learned counsel for the petitioner; learned APP for the State and Mr. Khurshid Alam, learned counsel for the opposite party no. 2 have assisted the Court.

2. The petitioner has moved the Court under Sections 397 and 401 of the Code of Criminal Procedure, 1973, against the order dated 30.11.2017, by the ADJ IInd, Jamui in Criminal Appeal No. 8 of 2017, which has been dismissed and the order dated 07.03.2017 passed by the Juvenile Justice Board, Jamui in GR Case No. 563A of 2015, declaring the opposite party no. 2 to be juvenile, has been upheld.



3. Learned counsel for the opposite party no. 2 submitted that on 5th September, 2019, the Juvenile Justice Board, Jamui has already concluded the enquiry and passed final order holding the opposite party no. 2 to be a juvenile on the date of occurrence.

4. In view thereof, the present matter has become infructuous as final order having been passed, has to be assailed before the appropriate forum, in accordance with law, afresh.

5. Learned counsel for the petitioner submitted that the application be disposed off with liberty to him to pursue the matter before the appropriate forum.

6. Accordingly, as prayed for by learned counsel for the petitioner, the application stands disposed off with liberty aforesaid.

(Ahsanuddin Amanullah, J.)

P. Kumar

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