

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11562 of 2021**

Arising Out of PS. Case No.-244 Year-1985 Thana- JAHANABAD District- Jehanabad

UPENDRA KUMAR @ UPENDRA KUMAR SINGH S/o Late Rajendra
Sharma Resident of Village and P.O.- MOKAR, P.S.- Jehanabad, Distt-
Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Niranjan Kumar, Adv Mr. Kumar Kishan, Adv. Mr. Ranjan Kumar Singh
For the Opposite Party/s	:	Mr. Jharkhandi Upadhyay, Adv.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 12-05-2022 Heard learned counsel for the petitioner.

The present petition has been filed for quashing the order dated 17.08.1988, whereby the learned court below has taken cognizance against one accused person named in paragraph No. 3 of the chargesheet and six accused persons named in paragraph No. 4 of the chargesheet under Section 147, 148, 149 and 307 of the Indian Penal Code as well as under Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that at the time of occurrence the petitioner was juvenile. He has also submitted that the name of the petitioner was also amongst the accused persons against whom the cognizance was taken.



It has been settled principle of law that plea of juvenility can be taken at any stage of the trial.

Learned trial court shall decide the plea of juvenility if the petition is filed in this respect. Till the decision of the trial court on plea of juvenility no coercive steps shall be taken against the petitioner.

The petition of juvenility must be filed within two months.

With these observations, this criminal miscellaneous petition is being disposed of.

(Nawneet Kumar Pandey, J)

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