

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3594 of 2021**

Arising Out of PS. Case No.-153 Year-2020 Thana- PANAPUR District- Saran

SUNIL KUMAR @ BHUWAR Son of Harendra Mahto Resident of Village -
Laguni, P.S.- Panapur, District - Saran at Chapra

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Radha Mohan Singh, Adv.
For the Respondent/s : Mr. Abhay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER**

4 18-08-2022 Heard both the parties.

This appeal has been filed on behalf of appellant for setting aside the order dated 04.03.2021 passed by Additional Sessions Judge-I-cum-Special Judge, Children Court, Saran at Chapra passed in Children Court Case No. 03 of 2021 arising out of Panapur P.S. Case No. 153 of 2020 registered for the offences under Sections 341, 323, 376 and 506 of the Indian Penal Code and Section 4 of the POCSO Act.

Submission of learned counsel for the appellant is that from perusal of the order dated 04.03.2021, it appears that the Children Court has passed the order on physical verification of Juvenile Samshad Ali whereas the present case relates to Juvenile Sunil Kumar @ Bhuwar. As such, there is grave error in the order of the learned court below and the same deserves to



be set aside.

In view of the submissions advanced on behalf of the parties and the materials on record, this Court finds that there is apparent error in the order of the Children Court. Accordingly, the same is, hereby, set aside. The matter is remitted back to the Children Court for passing the order afresh.

The appeal stands disposed of with the above observations/directions.

(Arvind Srivastava, J)

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