

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.13 of 2022

Arising Out of PS. Case No.-101 Year-2021 Thana- BEN P.S. District- Nalanda

XXX S/o Late Raju Manjhi, under Guardianship of Ful Ku Devi, W/o Chhotu Manjhi, who is Nani of the Petitioner, both R/o village Chhoti Aant, P.S.- Ben, District- Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Petitioner : Mr.Anil Kumar Singh, Advocate
For the State : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 25-07-2022 Two weeks further time is granted to learned counsel for the petitioner to remove the defects, failing which petitioner shall pay a sum of Rs. 1000/- (Rupees One Thousand) as cost to the Patna High Court Legal Aid Committee and receipt thereof shall be submitted in the office.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner, in the present case, is seeking setting aside of the judgment and order dated 22.11.2021 passed in Juvenile Appeal No. 17 of 2021 whereby the learned Special Children Court, Bihar Sharif, Nalanda has affirmed the order dated 21.07.2021 passed by the Juvenile Justice Board, Nalanda in J.J.B. Case No. 408/2021 arising out of Ben P.S. Case No. 101/2021 registered for the offence under Section 376 (DA) of



the Indian Penal Code and Section 4 of the POCSO Act.

Earlier this Court had called for a report from the learned trial court as to the present stage of the trial. This was done after finding that the petitioner was more than 17 years of age on the alleged date of occurrence, hence his case was to be tried as an adult.

Learned counsel for the petitioner has though tried to impress upon this court that two of the co-accused have been granted bail by the learned court below, but, at the same time, he has himself pointed out that so far as the case of this petitioner is concerned, the allegation against him is specific.

The report has been received from the learned trial court. The trial itself is likely to be concluded within a period of two months.

In the aforesaid view of the matter, this court is not inclined to interfere with the impugned judgment.

Let the trial court proceed with the trial by keeping the records on shorter dates and all endeavours be made to conclude the trial within a reasonable time. Public Prosecutor as well as the Superintendent of Police, Nalanda at Bihar Sharif shall ensure that all the witnesses are duly produced on the date fixed in the matter.



If the trial is not concluded within a reasonable period
the petitioner will be at liberty to renew his prayer for bail.

This application stands disposed off, accordingly.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

