

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4425 of 2023

Arising Out of PS. Case No.-134 Year-2009 Thana- BHAWANIPUR District- Purnia

MD RAHMAN Son of Md Mukhtar R/V- Jamun Tola, Bhameth PS-
Bhawanipur Dist- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Najbin @ Bibi Najbin D/o Md Gyash R/V- Jamun Tola, Bhameth PS-
Bhawanipur Dist- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-04-2023 Heard the parties.

This application has been filed for quashing the order dated 28.11.2022 passed by Additional District and Sessions Judge, 1st Purnea in S.T. Case No. 956 of 2010 / CIS No. 3614 of 2013 arising out of Bhawanipur P.S. Case No. 134 of 2009, by which the learned Court below has dismissed the petition filed on behalf of the petitioner raising the plea that he is a juvenile.

From the record it appears that though the F.I.R. is of the year 2009 but for the first time the petitioner has raised the plea of juvenility in the year 2022 in Session Trial No. 956 of 2010 (CIS No. 3614 of 2013). Before 2022 the petitioner has



not raised the ground of juvenility.

Further, the impugned order is a speaking order and it has been passed after considering the materials relied upon by the learned Trial Judge and therefore, the same cannot be interfered at this stage.

It seems that the petitioner is interested only in delaying the trial.

In view of the above, this application is dismissed.

The Trial Court is directed to conclude the trial of the petitioner at the earliest.

Let a copy of this order be communicated to the District Judge, Purnea through FAX and e-Mail for its compliance forthwith.

(Sandeep Kumar, J)

Vikas/Shishir

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