

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.629 of 2022

Arising Out of PS. Case No.-81 Year-2022 Thana- DAGARUA District- Purnia

XXX S/O MD. MOSIM @ MOHSIN Resident of village- ladwa, P.S.-
Dagarwa, District- Purnea under the guardianship of his natural guardian
mother Rajia Begam, aged about 46 years w/o Md. Mosim @ Mohsin, R/o
Village- Ladwa, P.S.- Dagarwa District- Purnea. Petitioner

Versus

The State of Bihar

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the Respondent/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 10-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking setting aside of the judgment and order dated 06.08.2022 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Purnea in Cr. Appeal Case No. 24 of 2022 whereby and whereunder the learned court has been pleased to dismiss the appeal filed against the order dated 23.06.2022 passed by the learned Juvenile Justice Board, Purnea in Dagarua P.S. Case No. 81 of 2022 registered for the offences punishable under Section 376 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act by which the learned Board has been pleased to reject the prayer for bail of the petitioner.

3. Learned counsel for the petitioner submits that earlier vide order dated 25.09.2023, a report regarding present



stage of the case was called for from learned Juvenile Justice Board, Purnea which has been received in this case.

4. Having regard to the information available at Flag 'D' vide Letter No. 886 of 2023 showing that out of six witnesses, four witnesses have already been examined in course of inquiry and the inquiry which is being conducted by the Juvenile Justice Board, Purnea is likely to be concluded within a period of three months only, this Court, in the given facts and circumstances of this case would not be inclined to interfere with the impugned order.

5. Let the Juvenile Justice Board, Purnea continue with the inquiry and conclude it as early as possible preferably within a period of three months as per its report.

6. In case the inquiry is not concluded within the aforesaid period, the petitioner would be at liberty to file a fresh application for bail before the Juvenile Justice Board, Purnea itself.

7. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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