

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.690 of 2022

Arising Out of PS. Case No.-136 Year-2019 Thana- VIJAYEPUR District- Gopalganj

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Pawan Pandey Son Of Mani Pandey Under Guardianship Of His Father Mani Pandey S/O- Brihaspati Pandey R/V- Ghat, Bandhaura, P.O- Bijayipur, P.S- Bijayipur, Dist- Gopalganj, Pin- 841506.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Respondent/S

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Appearance :

For The Petitioner/S : Mr. Akshay Lal Pandit, Adv.

For The Respondent/S : Mr. Zainul Abedin, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 20-04-2023

Heard learned counsel for the petitioner and learned counsel for the Respondents.

The present Cr. Revision has been filed against order and judgment dated 11.11.2020 and subsequently order modified on 22.08.2022 passed in Cr. Appeal No. 21 of 2020 (Additional Sessions Judge-Ist, Gopalganj) and order dated 03.09.2019 by Juvenile Justice Board, in connection with Bijayipur P.S. Case No. 136 of 2019 lodged under Sections 341, 307, 302, 120(B), 34 of the I.P.C. and 27 of the Arms Act.

Counsel for the petitioner submits that F.I.R. has been lodged showing age of the petitioner 22 years but Juvenile Justice Board, vide order dated 03.07.2020 has declared the petitioner as juvenile. Counsel for the petitioner submits that

petitioner is in custody since 04.09.2019 i.e. he has completed four years and eight months in custody. Counsel submits that maximum punishment which can be imposed to a juvenile is three years and petitioner has already completed about four years and eight months in custody.

On this ground alone, the petitioner is directed to be released on the undertaking of his father, who shall take care that his son shall not involve in any case in the future and shall visit to the office of 'Probation Officer', once in a month.

Let the order and judgment dated 11.11.2020 and subsequently order modified on 22.08.2022 passed in Cr. Appeal No. 21 of 2020 (Additional Sessions Judge-Ist, Gopalganj) and order dated 03.09.2019 by Juvenile Justice Board, in connection with Bijayipur P.S. Case No. 136 of 2019 lodged under Sections 341, 307, 302, 120(B), 34 of the I.P.C. and 27 of the Arms Act, are hereby **set-aside**.

(Dr. Anshuman, J.)

Ashishsingh/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	