

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**BAIL APPLICATION NO.645 OF 2023
WITH BA/648/2023 WITH APPLN/1618/2023 IN BA/645/2023
WITH APPLN/1617/2023 IN BA/648/2023**

**SHAKTINARAYAN VIYNARAYAN RAI THROUGH HIS UNDER
GUARDIAN FATHER
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Rahul R. Karpe
APP for Respondent/State : Mr. S.P. Deshmukh

...
CORAM : S.G. MEHARE, J.

DATED : JUNE 06, 2023

PER COURT:-

1. After hearing the learned counsel for the applicants, it is transpired that the applicants are claiming that they were juvenile at the time of the alleged incident.
2. Learned counsel for the applicant would submit that the claim of the juvenile of the applicants have been rejected by the Court.
3. Learned APP would point out that the order of the Sessions Court rejecting the applicant's claims has attained the finality. However, learned counsel for the applicants wish to take an appropriate step as regards the claim of juvenile by availing the appropriate remedy. The claim of the applicants to be juvenile at the time of the incident goes to the roots of the case. A separate

mechanism is available for dealing with the juvenile under Juvenile Justice Act, 2015. Unless the issue is determined, it would be inappropriate to deal with the applicants under the regular procedure of law.

4. The counsel for the applicants seeks leave to withdraw these applications with liberty to avail appropriate remedies determining the juvenility of the applicants. Hence, both applications are disposed of in the above terms.

5. Criminal Application Nos.1618 of 2023 and 1617 of 2023 stand disposed of.

(S.G. MEHARE, J.)