

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1173 of 2024

Arising Out of PS. Case No.-68 Year-2018 Thana- PUPRI District- Sitamarhi

XXXXXXXXX son of XXXXXXXX Village- Choraut P.S.- Pupri Dist- Sitamarhi

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jitendra Kumar Giri, Advocate

For the Respondent/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 20-03-2024 1. Mr. Jitendra Kumar Giri, learned counsel
appearing for the appellant and Mr. Abhay Kumar, learned APP
appearing for the State are present.

2. The appellant earlier preferred Cr. Appeal (SJ) No. 2383 of 2022 against the order dated 06.06.2022 passed by learned 1st Additional Sessions Judge -cum-P.O. (Children Act), Sitamarhi, in connection with Pupri P.S. Case No. 68 of 2018, whereby and whereunder the appellant's prayer for bail was rejected and the said appeal was dismissed vide order dated 05.10.2023. The appellant has again challenged the order dated 06.06.2022 which was under challenge in his earlier Criminal Appeal, so in view of this fact the instant appeal is not maintainable.

3. The appellant should first approach the trial court



for the relief of bail, if new changed circumstances entitling him for the said relief has arisen in his favour and the trial court's order may be challenged again by way of appeal under Section 101(5) of the Juvenile Justice (Care and Protection of Children), Act, 2015. Accordingly, the instant appeal stands dismissed on account of being not maintainable with giving a liberty to the appellant to make a fresh prayer before the trial court for granting him the privilege of bail and the trial court is directed to decide his prayer within seven days from the date of filing, if the appellant's prayer is rejected again then the appellant may approach this court by way of appeal under Juvenile Justice (Care and Protection of Children), Act, 2015.

(Shailendra Singh, J)

Rajiv/-

U		T	
---	--	---	--

