

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2456 of 2024

Arising Out of PS. Case No.-83 Year-2020 Thana- NAVINAGAR District- Aurangabad

Niraj Kumar Singh Son of Sri Vinda Singh Resident of village- Jaitiya Simari,
P.O.- Nabinagar Road, P.S.- Nabinagar, Dist.- Aurangabad

... .. Appellant/s

Versus

The State Of Bihar Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sunil Kumar Singh, Adv.

For the Respondent/s : Mrs.Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 20-09-2024 Heard the parties.

2. This appeal under Section 101(5) of the Juvenile Justice (Care and Protection of Children) Act, 2015 has been filed for setting aside the order dated 30.09.2021 passed by the learned 1st Additional Sessions Judge, Aurangabad in connection with Nabinagar P.S. Case No. 83 of 2020 for the offences punishable under Sections 302, 120B read with section 34 of the Indian Penal Code, whereby and whereunder the learned trial court has pleased to reject the prayer for bail of the appellant and the said order has already been challenged by the appellant by way of filing Cr. Appeal (SJ) No. 2555 of 2023, if new fresh circumstance has arisen in favour of his prayer for bail then the appellant should have approached first before the learned trial court to get the relief of bail if his prayer is again



rejected and only then he may challenge the said order by way of filing Cr. Appeal before this court under section 101(5) of the Juvenile Justice (Care and Protection of Children) Act, 2015 but when a particular order passed under J. J. Act has already been challenged by way of appeal and the same has been decided then such order cannot be challenged again by the same way of Cr. Appeal.

3. Accordingly, I find that this appeal is not maintainable. The appellant is given liberty to approach the learned trial court by filing a fresh application for regular bail in respect of the appellant. The learned trial court is directed to decide the prayer within three days from the date of its filing.

4. The instant appeal stands dismissed as not maintainable.

(Shailendra Singh, J)

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