

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.717 of 2024

Arising Out of PS. Case No.-157 Year-2020 Thana- SHASTRINAGAR District- Patna

Kush Kumar Son of Ramakant Singh Resident of Village - Bagh Majhauwa,
P.S. - Koelwar, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi, Sr. Advocate Mr. Mayank Raj
For the Respondent/s	:	Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 22-11-2024 Heard the learned senior counsel for the petitioner and
the learned APP for the State.

2. This application has been filed for setting aside the judgment dated 08.02.2024 passed in Cr. Appeal No. 204 of 2024 (arising out of order dated 09.11.2023 passed by the JJB, Patna in Shastri Nagar P.S. Case No. 157 of 2020) passed in the Court of learned District & Sessions Judge, Patna whereby and whereunder the court below has not considered the criminal appeal of revisionist and affirmed the order dated 09.11.2023 passed by the Children Court, Patna and hence the petitioner seeks quashing of the order dated 09.11.2023 also.

3. The learned senior counsel for the petitioner; Shri P.N. Shahi has taken this Court to the order dated 15.06.2024



passed by the Juvenile Justice Board, Patna under Section 15 of the Juvenile Justice Act. In the order dated 15.06.2024, the Juvenile Justice Board has held that the petitioner shall be tried as an adult for the alleged offence.

4. After the order dated 15.06.2024 was passed by the Juvenile Justice Board, the petitioner has not moved before the Court below for bail. In my opinion, the petitioner ought to have moved before the Court below for bail and in case of refusal of bail by the Court below, he should have approached this Court.

5. In view of the discussion above, this application is disposed of accordingly with liberty to the petitioner to approach the Court below for bail.

6. The Court below shall not be prejudiced by the order dated 07.05.2024 passed by this Court in Cr. Revision No. 251 of 2024 by which the bail application of the petitioner was rejected by this Court.

(Sandeep Kumar, J)

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