

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.15 of 2024

Arising Out of PS. Case No.-329 Year-2022 Thana- BELA District- Sitamarhi

Mr X SON OF RAM NAGINA SIGH @ NAGINA SINGH RESIDENT OF
VILLAGE- BAYA, PO- PHOOLHATTA, PS- BELA, DIST- SITAMARHI
UNDER THE GUARDIANSHIP OF FATHER RAM NAGINA SINGH @
NAGINA SINGH RESIDENT OF VILLAGE- BELA, PO- PHOOLHATTA,
PS- BELA, DIST- SITAMARHI

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. NARENDRA SINGH SON OF MUNSHI MAHATO RESIDENT OF
VILLAGE- BAYA, PO- PHOOLHATTA, PS BELA, DISTT- SITAMARHI

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Jha
For the Respondent/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 07-05-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. This application has been filed on behalf of the
petitioner against the Judgment dated 24.11.2023 passed by the
Children-cum-Additional District and Sessions Judge-I,
Sitamarhi in Cr. Appeal No. 78 of 2023 by which the order
dated 04.10.2023 arising out of Bela P.S. Case No. 329 of 2022
registered for the offence under Sections 376 of the Indian Penal
Code and under Section 4/6/8 of the POCSO Act.

3. As per the prosecution case, the petitioner and
others are said to have committed rape upon the victim.



4. The age of the petitioner is assessed to be about 17 years and 3 months on the date of occurrence.

5. Though, the petitioner has been held to be a juvenile but the allegations levelled against the petitioner is very serious.

6. In view of the above, this Court is not inclined to grant bail to the petitioner though other co-accused person/s has been granted bail.

7. Accordingly, this application is dismissed.

8. If no assessment has been done by the Juvenile Justice Board under Section 15 of Juvenile Justice (Care and Protection of Children) Act, 2015 the same shall be done and the petitioner shall be tried in accordance with law.

(Sandeep Kumar, J)

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