

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10090 of 2023

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Bihar Probation Seva Padadhikari Sangh (Rajpatrit), Registered Office situated at Prakshetriya Jila Probation Karyalaya Parisar, Beur, Patna through its General Secretary Ram Pravesh Roy, Aged about 47 years, Male, Son of Late Rabbi Roy, Resident of Village Bhagwanpur Desua, P.S. Ujjiyarpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Department of Social Welfare, Government of Bihar, Patna.
3. The Principal Secretary, Department of General Administration, Government of Bihar, Patna.
4. The State Child Protection Society, Directorate of Social Welfare Department, Government of Bihar Patna.
5. The Juvenile Justice Monitoring Committee through its chairman, Patna High Court, Patna.
6. Prison and Correctional Services, Home Department (Prison), Government of Bihar, Patna.
7. The Inspector General of Prisons and Correctional Services, Government of Bihar, Old Secretariat, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mohit Agrawal, Advocate Ms. Parul Prasad, Advocate Mr. Lokesh Kumar, Advocate Mr. Vikash Khanna, Advocate
For the Respondent/s	:	Mr.P.K. Shahi, Advocate General

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 17-02-2025

The present writ petition has been filed by an Association called Bihar Probation Seva Padadhikari Sangh (Rajpatrit) challenging Rules 7(ix) and 89(3) of



the Bihar Juvenile Justice (Care and Protection of Children) Rules, 2017 as being *ultra vires* and not in consonance with Articles 14, 16, and 19 of the Constitution of India and Section 2(48) of the Juvenile Justice (Care and Protection of Children) Act, 2015.

2. The learned counsel for the petitioner has informed this Court that now a new rule is in contemplation, a draft of which has already been uploaded on the official website of the Welfare Department and suggestions have been invited.

3. The learned counsel for the petitioner submits that he be given the liberty to offer his suggestions and in case the new rules would not satisfy the test of reasonableness or of being in consonance with the parent Act or the provisions of the Constitution of India, he be permitted to appear again afresh.

4. As such, the prayer is made for withdrawing this petition to approach the Court later, in case such need arises.



5. The writ petition stands disposed of as
withdrawn, with the liberty so asked for.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

P.K.P./Anushka

AFR/NAFR	
CAV DATE	
Uploading Date	18.02.2025
Transmission Date	

