

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSCriminal Appeal No.1840/2017

NAGENDRA SINGH

Appellant(s)

VERSUS

THE STATE OF BIHAR

Respondent(s)

(and IA No.66322/2017-EXEMPTION FROM FILING O.T. and IA No.24873/2018-XTRA & IA No. 66322/2017 - EXEMPTION FROM FILING O.T.)

Date : 24-07-2019 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR
HON'BLE MR. JUSTICE AJAY RASTOGI

For Appellant(s)

Mr. Anuj Prakaash, Adv.
Mr. Panshul Chandra, Adv.
Ms. Aditi Kumari, Adv.
Mr. Kumar Mihir, AOR

For Respondent(s)

Mr. Shivam Singh, Adv.
Mr. Srikanth S., Adv.
Mr. Manish Kumar, Adv.
Mr. E. C. Vidya Sagar, AOR

UPON hearing the counsel the Court made the following
O R D E R

Heard the learned counsels appearing for the parties.

This Court, on 8.8.2016, relying upon the Matriculation Certificate produced by the appellant claiming that he was a juvenile who was aged 17 years, 9 months and 16 days on the date of the occurrence, relegated the matter to the Juvenile Justice Board, Gopalganj in the State of Bihar to proceed with the matter and verify the claim of juvenility of the appellant as expeditiously as possible. Thereafter, a Report was submitted and on 21-4-2017, another Division Bench of this Court passed the following order:-

"We are not happy with the certificate issued by the Juvenile Justice Board, which is based only on the certificate of matriculation.

The petitioner is directed to make available a list of siblings in the family, their dates of birth as entered in the revenue records and all other available records."

In the meanwhile, on 8.5.2018, this Court has granted bail to the appellant pending appeal.

Today when the matter came up for hearing, learned counsel appearing for the appellant submits that he has already filed an application in compliance with the Order dated 21-4-2017 passed by this Court and produced the requisite documents, i.e., list of siblings of the appellant and their dates of birth entered into revenue records and other available record.

Taking into consideration these facts, we direct the District and Sessions Judge, Gopalganj, Bihar to enquire into the matter and submit another Report regarding the juvenility of the appellant, within a period of three months from the date of communication of this order.

The appellant and other family members are directed to appear before the District and Sessions Judge.

We direct the Registry to send forthwith all the relevant records to the District and Sessions Judge to enable him to submit a Report to this Court.

List the matter immediately after report is received.

(VISHAL ANAND)
COURT MASTER (SH)

(RAJ RANI NEGI)
ASSISTANT REGISTRAR