

**IN THE COURT OF ADDITIONAL SESSION JUDGE-III,
VAISHALI AT HAJIPUR**

S. Tr. No. 157/2023

ORDER

25.07.2023

Heard, the petition on behalf of accused Shubham Saurav @ Golu Kumar Bhagat dated 10-05-2023 and its rejoinder dated 07-05-2023. Ld. Counsel for the petitioner submitted that at the time of occurrence the petitioner was Juvenile and in support of his submission, he file a photocopy of Matriculation Certificate along with affidavit and photograph of the petitioner. Ld. Counsel appear on behalf of informant submitted that the petitioner has not filed the school attendance certificate. He has not taken the ground of Juvenility at first instance i.e the time of bail.

After hearing both the parties, it is established law that juvenility can be claimed at any stage including appeal stage its and so far as the first attendance certificate as objected by the informant is concerned. It is pertinent to mention here that u/s 94 of J.J. Act when he matriculation certificate is there, there is no need to go further to ascertain the age. Considering facts and circumstances the petition is hereby allowed.

O/C is directed to separate the record of Shubham Saurav @ Golu Kumar Bhagat and sent it before J.J.B. for further proceeding.

Dictated

Addl. Session Judge-III
Vaishali at Hajipur
25.07.2023