

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 936 of 2016**

- Ajay @ Aju Prithwani (Juvenile) S/o Deepak Prithwani Aged About 17 Years Through His Legal- Natural Guardian Mother Smt. Sushila Prithwani, W/o Deepak Prithwani, Aged About 50 Years, R/o R.D.A. Colony, Indraprasth Block No. 315/ R, Raipura, Post Office- Raipur, Police Station- D.D. Nagar, Raipur, Tahsil & District- Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station- D. D. Nagar, District- Raipur, Chhattisgarh.

---- Non-applicant

For Applicant
For Respondent/State

Shri S. Pandya, Advocate
Shri Rajendra Tripathi, Panel Lawyer

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****03.10.2016**

1. The present petition has been preferred under Section 102 of the Juvenile Justice Act (Care and Protection of Children) Act, 2015 read with 397/401 Cr.P.C.
2. Grievance of the Petitioner is that the present Applicant is in jail in connection with Crime No. 126/2015 registered as police station D.D. Nagar, Raipur whereby the Applicant has been charged under Section 307 and 324 IPC. The present Applicant is in Observation Home since 20.09.2015.
3. The allegation against the present Applicant is that the present

applicant on 15.07.2015 at around 10.30 said to have assaulted one Neeraj Rawate as well as Pankaj Rawate. He caused knife injury on the said two persons. Subsequently the F.I.R. was lodged and he was arrested.

4. The impugned order reflects that the track record of the applicant does not show a healthy sign in as much as on earlier occasion when he was put in the Observation Home he had escaped from the Observation Home and was again arrested and taken back to the Observation Home.
5. Thus, in the given factual background and track record of the Applicant this Court is not inclined to release the applicant on bail and that the present case would not fall within the earlier part of the provisions of the Section 12 of the Juvenile Justice Act but would fall within the later part of the said Section.
6. Accordingly, the present Revision Petition being devoid of merits stands rejected.

Sd/-

(P. Sam Koshy)
JUDGE