

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**CRR No. 1002 of 2016**

Manoj Yadav ( Juvenile ) S/o Shri Santosh Yadav Aged About 16 Years Through Natural Guardian Father Shri Santosh Yadav, R/o Village Tulsi, Police Station Nevra, District Raipur, Chhattisgarh.

---- Applicant

**Versus**

State Of Chhattisgarh Through Collector, Raipur, Tahsil & District Raipur, Chhattisgarh.

---- Respondent

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For Applicant : Shri J.K. Gupta and Shri Devershi Thakur, Advocates  
For Respondent/State : Shri D.R. Minj, Dy. Govt. Advocate

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**S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**28/11/2016**

Heard.

1. This revision is directed against the order dated 10<sup>th</sup> August, 2016 by which appeal against order of rejection of bail by the Juvenile Justice Board, has been dismissed.
2. Learned counsel for the applicant argues that in so far as present applicant is concerned, he has not committed any offence under Section 376 IPC because the prosecutrix in her statement under Section 164 Cr.P.C. has not named the applicant as the person who committed rape on her. It is also submitted that the applicant has not even been identified. Therefore, in these circumstances, the applicant being a juvenile may be granted bail.

3. On the other hand, learned counsel for the State has opposed the application and submitted that the applicant is involved in the commission of offence of loot, assault and rape. Therefore, his involvement in the incident along with two other major accused shows that the applicant is moving and committing offence in association with criminals and if he is released, it is likely to bring him in association with the known criminals. He submits that as the applicant is found to be in association of criminals, likelihood of he fleeing away from justice and absconding also cannot be ruled out, in which event, cause of justice is likely to be delayed.
4. Considering the submissions made by learned counsel for the parties and that the applicant is alleged to have committed offence along with many other accused by entering the house of the prosecutrix, assault, loot and rape, no interference is called for.
5. The Revision is accordingly dismissed. In case of delay in conclusion of proceedings, the applicant may again approach the Court.

Sd/-  
(**Manindra Mohan Shrivastava**)  
Judge