

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRIMINAL REVISION NO. 355 OF 2016

Virendra Kumar son of Murli Dhimar, aged about 16 years, minor, represented through legal guardian sister Ashwani Bai, daughter of Murli Dhimar, aged about 45 years, resident of Ward No. 10, Gunderdehi, Police Station- Gunderdehi, District Balod (C.G.)

... Applicant

Versus

State of Chhattisgarh, through the Incharge, Police Station- Gunderdehi, District- Balod (C.G.)

... Non-applicant

For Applicant	:	Mr. B.P. Singh, Advocate.
For Respondent-State	:	Ms. M. Asha, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

25/04/2016

1. Heard learned Counsel for the Applicant and the Non-applicant.
2. The present Criminal Revision has been preferred challenging the order dated 26.3.2016 passed in Criminal Appeal No. 30 of 2016 by the First Additional Sessions Judge, Balod. The First Additional Sessions Judge has vide impugned order affirmed the order of the Juvenile Justice Board, Balod rejecting the bail application on 17.2.2016 in Crime No. 43 of 2016.
3. Learned Counsel for the Applicant submits that the Applicant admittedly is a juvenile, aged about 16 years, and that the offences which have been charged against him are under Sections 457 and 380 of IPC. He further submits that it is a case where the charge against the Applicant is only of attempt to commit theft by entering into the house and he has not in fact committed a theft or stolen any article. Further, that he is in jail since 8.2.2016 and therefore he may be enlarged on bail.

4. Considering the total facts and circumstances of the case particularly the fact that the Applicant being a juvenile is already in jail for more than two months, it is a fit case where he can be released on bail.

5. Accordingly, the Criminal Revision is allowed. The impugned order dated 26.3.2016 is set aside. It is directed that the Applicant shall be released on bail on his and one of his guardian furnishing a personal bond for the sum of Rs.25,000/- with two sureties in the like sum to the satisfaction of the concerned Trial Court, for his appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge

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