

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.6968 of 2015

1. Sourabh Chandra, S/o Suraj Chandra, aged 16 years 5 months, through his Father Suraj Chandra, S/o Horilal Chandra, aged 40 years, R/o Village Bardula (Kosir), Tahsil Sarangarh, District Raigarh (C.G.)
 2. Basudev Mahant, S/o Navratan Mahant, aged 16 years, through his father Navratan Mahant, S/o Koliyad Das Mahant, aged 35 years, R/o Village Bardula (Kosir), Tahsil Sarangarh, District Raigarh (C.G.)
- Applicants

Versus

State of Chhattisgarh, through Station House Officer, Police Station Kosir, Tahsil Sarangarh, District Raigarh (C.G.)

---- Non-applicant

For Applicants:	Mr. Rajeev Shrivastava and Mr. Malay Shrivastava, Advocates.
For Non-applicant:	Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

16/02/2016

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.67/2015, registered at Police Station Kosir, Distt. Raigarh, for the offence punishable under Sections 376 (2) (अ) & (ब) of the IPC; 3, 4, 14 & 18 of the Protection of Children from Sexual Offences Act, 2012; and 67, 67A, 67B & 77B of the Information Technology Act, 2000.
2. The applicants are juveniles. They have a remedy to approach the Juvenile Justice Board for grant of bail under the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000 (for short 'the Juvenile Justice Act') and against the order of the Juvenile

Justice Board, even the appeal lies under Section 52 of the Juvenile Justice Act and then revision under Section 53 of the said Act before this Court, as such, the applicants have alternative efficacious remedy and therefore, the application is rejected. However, the applicants are free to avail remedy under the Juvenile Justice Act.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma