

HIGH COURT OF CHHATTISGARH, BILASPUR**CRR No.818 of 2016**

- Rakesh Miri S/o Amrit Prasad Miri Aged About 17 Years R/o Village Shantipur, Police Chauki Junapara, Thana Takhatpur, District Bilaspur, Chhattisgarh.

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station Lormi, District Mungeli, Chhattisgarh.

---- Respondent

For Petitioner	:	Shri Vikash Pandey, Advocate
For Respondent/State	:	Shri D. R. Minz, Dy.GA

S.B. : Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****05/12/2016**

This petition arises out of order dated 09-08-2016 passed by the appellate Court, by which, the rejection of applicant's application for grant of bail under Section 12 of the Juvenile Justice (Care and Protection) Act, 2000 (In short "the Act"), has been affirmed.

2. Learned counsel for applicant submits that in the present case, the applicant was not found in possession of ganja, but he is alleged to have been driving the motorcycle, in which, the other person carrying ganja, was sitting. In the social investigation report, there is nothing to show that in the event of release, the applicant will be exposed to physical, mental or psychological danger or likely to abscond or that the ends of justice would be defeated. It is also submitted that the other accused-Rajesh Kumar Kulmitra has already been

granted bail.

3. On the other hand, learned State counsel opposes the bail application on the submission that the applicant was found driving the motorcycle and the other person sitting in the motorcycle was found carrying ganja, which shows that in the event of release, the applicant is likely to come in association with known criminals and may be again engaged in ganja trafficking.

4. It appears that the applicant was found driving the motorcycle and the other person sitting in the motorcycle was found carrying ganja about 6 KG with him. There is no satisfactory material, which involves the applicant in the alleged offence.

5. Therefore, in these circumstances and enforcing statutory mandate under Section 12 of the Act, the revision is allowed. The impugned order passed by the appellate Court as well as by the Juvenile Justice Board are hereby quashed. The applicant-Juvenile shall be released on bail forthwith on furnishing personal bond in the sum of Rs.10,000/- by the mother or father of the applicant to the satisfaction of the Juvenile Justice Board, for his appearance before the Board on all dates of trial and also to comply with such conditions as may be imposed by the Juvenile Justice Board.

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