

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRR No. 1136 of 2016**

Rakesh Kumar Suman S/o Shri Bhagwat Suman Aged About 17 Years (Juvenile/ Minor), R/o Pamgarh, Police Station Pamgarh, District Janjgir Champa, Chhattisgarh. Represented Through His Father, I.E. Shri Bhagwat Suman, Aged About 39 Years, S/o Rajaram, R/o Pamgarh, Police Station Pamgarh, District- Janjgir- Champa, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through District Magistrate Janjgir Champa, District Janjgir- Champa, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Ravi Kumar Bhagat, Advocate
For State	:	Mr. B. Gopa Kumar, Dy. A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****16/01/2017**

Heard.

1. This revision petition arises out of order dated 09.11.2016 by which the Appellate Authority has affirmed the order of rejection of application for grant of bail moved by the juvenile.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated. He submits that he has not committed any offence. Next submission is that irrespective of the gravity of offence, mandate of Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (for short 'the Act of 2015') required release of the applicant because there was no clinching and cogent material available before the Courts below to justify rejection of the application.
3. On the other hand, learned State counsel has placed before the Court, case diary as also social investigation report submitted by the Probation Officer. The report of the Probation Officer discloses that there

is no control of the parents over the applicant, the applicant is badly habitual of drinking. There are allegation of immorality between the applicant's family and one Gendram with regard to another incident of rape. It has been stated in the report that in order to fetch money, the applicant has gone to the extent of throwing his own sister to prostitution.

4. The facts which have been disclosed in the social investigation report justify rejection of application for grant of bail. The aforesaid material prima facie indicates that in case the applicant is released on bail, the situation circumstances in which, he is living, he is likely to be exposed to moral, physical and psychological danger. Therefore, no interference is called for. The criminal revision therefore dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge