

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 392 of 2017

Rohit Thakur Alias Babu S/o Raju Thakur, Aged About 17 Years R/o
Atal Ayub Nagar 03 Number Near Railway Cabin Thana Gautam
Nagar Bhopal, Tahsil And District Bhopal Madhya Pradesh

---- Applicant

Versus

State Of Chhattisgarh Through Collector Mahasamund Police
Station Mahasamund District Mahasamund Chhattisgarh

---- Respondent

For applicant - Shri Vikash Pradhan, Advocate.
For Respondent/State –Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

16/05/2017

1. This revision is against the order dated 17/03/2017 passed by the First Additional Sessions Judge, Mahasamund, District Mahasamund in Criminal Appeal No. H 08/2017 whereby the application filed by the applicant for bail was dismissed by the Juvenile Justice Board dated 8/03/2017.
2. Brief facts of this case are that case was registered on 1/01/2017 under Section 20-B of NDPS Act. The applicant alongwith other co-accused Anand Dhanak has come from Bhopal to Orissa and was carrying cannabis from Orissa. They were travelling in a bus and the bus when was intercepted from the possession of the applicant and other co-accused 46.580 gms of cannabis were recovered. Thereafter, he was apprehended.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in the case, he was in fact in the company of the other co-accused, therefore he may be extended benefit of bail.
4. Learned State counsel was directed to call for the social

investigation report. Probation Officer Shri Narendra Raut is present today and has placed on record the report.

5. Perused the social investigation report which shows that the applicant has studied upto class-4th and report from the neighbours would show that he used to move around alongwith his friends. He was not involved in other crime. While he was travelling back in train from Orissa below his seat cannabis were recovered. Social investigation report suggest that he is not a habitual offender, he studied up to class-4th and in order to earn his livelihood he used to work in tea shop some time and it is suggested that he may be given one chance to come back to the main stream of the society. Considering the social investigation report wherein it is suggested that applicant may be given one chance to come back to the main stream of the society and report do not suggest that on release of applicant there is likelihood to bring the applicant in association with any known criminal or will expose him to moral, psychological and physical danger and if released would not defeat the ends of justice. Considering such social investigation report, I am inclined to allow this revision and release the applicant on bail.

6. Consequently, revision is allowed and order dated 17/03/2017 is set aside. It is directed that the applicant shall be released on bail on furnishing a surety of Rs.25,000/- which is to be of his father to the satisfaction of the concerned Juvenile Justice Board, for his appearance as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE

