

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 166 of 2017

- Sonu @ Sanoj Pal S/o Shri Jugeshwar Pal Aged About 15 Years
Occupation Student, R/o Village- Trishuli, Police Station - Sanawal,
District-Balrampur -Ramanujganj, Chhattisgarh. Mob. No. 78979-
87757 **---- Applicant**

Versus

- State of Chhattisgarh through the District Magistrate: Balrampur-
Ramanujganj, Chhattisgarh. **--- Respondent**

For the applicant	:	Mr. N.K. Mehta, Advocate
For the Respondent	:	Mr. Satish Gupta, Dy. Govt. Adv., with Mr. Dinesh Kumar Sinha, C.S.P

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.03.2017

1. This petition is filed against the order dated 24.12.2016 passed by the Additional Sessions Judge (Court of Juvenile), Ramanujganj whereby the appeal preferred by the applicant against the order of Juvenile Board dated 10.08.2016 has been rejected.
2. Briefly stated facts of the case are that on the report of complainant Dinesh Ekka, the police station Ramanuj Ganj registered the FIR for the offence punishable u/ss 323, 394/34 of IPC and Section 25 of the Arms Act against 3 unknown persons. It is alleged that on 10.07.2014 while the complainant was going to his house situated at Vijaynagar, on the way a truck was coming and due to focus of headlights on his eyes, he parked his motorcycle on the road side. At that time some people came behind and assaulted him and placed a gun on his head and thereafter, looted Rs.900/- and took away his motorcycle. Subsequently the

applicant was arrested on the memorandum of co-accused Sonu Gupta. The bail petition was initially rejected by the Court of JMFC and subsequently another bail application was preferred by the applicant and co-accused bearing M.Cr.C. No. 2005/2016 and on 18.04.2016, the same was rejected. It is the further case of prosecution that subsequently it came to the notice that the applicant is juvenile and thereafter he was shifted to juvenile observation board. Initially he was lodged in Central Jail. Subsequently, an application for bail moved before the juvenile Board and the same was dismissed on 10.08.2016. Against which, the appeal having preferred, the same was dismissed on 24.12.2016.

3. Having considered the fact that the applicant is a juvenile and is in jail, the State was directed to submit the Social Investigation Report. A perusal of such report shows that the petitioner is in jail for more than 1 year and 10 months and he may be brought back to the main stream of the Society.
4. Having considered the same, I am inclined to allow this revision. Accordingly, this revision is allowed and the order dated 24.12.2016 passed by the Addl. Sessions Judge, Ramanujganj, is set aside. The petitioner is directed to be released on bail on furnishing surety in sum of Rs.25,000/- by the father/guardian on behalf of the petitioner to the satisfaction of the trial Court.

Sd/-
GOUTAM BHADURI
JUDGE