

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 291 of 2017

- Sona Singh @ Sonu (Name is not mentioned in the Cause Title of the Impugned Order Considering the Confidentiality of the Identity of the Juvenile in conflict with laws) S/o Shivnath, Aged About 17 Years, Represented Through Shivnath S/o Bagarsai , Aged About 38 Years, Caste Gond, R/o Village Hathbar, Police Station Patna, Tahsil Baikunthpur , District Korea, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Khadgawa, District Korea, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Yougeshwar Sharma, Advocate
For the Respondent	:	Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18.04.2017

1. The present revision is against the order dated 3rd March, 2017 passed by the Additional Sessions Judge (FTC), Baikunthpur, in Criminal Appeal No.11/2017. By such order, the bail rejection order passed by the Juvenile Justice Board on 22.02.2017 in Criminal Case No.10/2017 was affirmed whereby the application for grant of bail to the juvenile was rejected.
2. As per the prosecution case, the applicant who is said to be juvenile has been involved in a case u/s 376(2)(k)(n) read with sections 450 & 506 of IPC and sections 4 & 6 of the Protection of Children from Sexual Offences Act. A report was lodged by the victim who is also said to be minor. Subsequently, the applicant who is in conflict with law was apprehended on 03.02.2017 and is kept in observation. On the earlier date of hearing, the State counsel was directed to

place its reply. The reply has been filed along-with the social investigation report of the Probation Officer.

3. Perused the social investigation report wherein it is stated that the present applicant is a minor, he is mentally balanced and his physical growth is also proper. The reason has been assigned that because of his innocence, he has been involved in the case and no direct involvement has been attributed. It further suggested that looking to the future of applicant who is in conflict with law he may be allowed to join his family and may be released from child observation home for his betterment.
4. Considering such social investigation report and the degree of allegations levelled against the applicant and the fact that the applicant is juvenile which is not in dispute and the release from observation home is for his betterment as suggested by the Probation Officer, I am inclined to allow this revision. Accordingly, the revision is allowed and the orders dated 03.03.2017 and 22.2.2017 passed by the appellate Court and Juvenile Justice Board respectively are set aside.
5. The applicant is directed to be released on bail on furnishing a surety in sum of Rs.25,000/- by the father/guardian of the applicant to the satisfaction of the Juvenile Justice Board.

**Sd/-
GOUTAM BHADURI
JUDGE**