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HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No.427 of 2017**

Kushal Sahu, S/o Dhaniram Sahu, aged about 16 years, R/o Ward No.11, Bhainsapasra, Balodabazar, District Balodabazar-Bhatapara (Chhattisgarh) through legal natural guardian father Dhaniram Sahu, S/o Chhedilal Sahu, aged about 38 years, R/o Ward No.11, Bhainsapasra, Balodabazar, District Balodabazar-Bhatapara (Chhattisgarh)

---- Applicant**versus**

State of Chhattisgarh through the District Magistrate, Baloda Bazar, District Baloda Bazar – Bhatapara, Chhattisgarh

---- Respondent

For Applicant	: Shri Suresh Kumar Verma, Advocate
For State/Respondent	: Shri Sameer Behar, Panel Lawyer
Probationary Officer Ms. Manju Tiwari	: Appears in Person

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****14.7.2017**

1. This revision arises out of judgment dated 30.3.2017 passed in Criminal Appeal No.H-23 of 2017 by the 2nd Additional Sessions Judge, Balodabazar, by which the Learned Additional Sessions Judge has rejected the appeal arising out of the order rejecting Applicant's application for grant of bail under Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (in short 'the Act of 2015').
2. Brief facts of the case are that on 14.1.2017 police received a telephonic information that two injured persons were in District Hospital Balodabazar. Pardeshiram lodged an oral report that due to driving of a vehicle a dispute arose between Kannu Maharaj and Kushal (Applicant). Therefore, Kushal assaulted in the

stomach of Sajid Khan with a knife. An offence under Section 307 of the Indian Penal Code was registered.

3. As ordered earlier, Ms. Manju Tiwari, Probationary Officer appears before this Court in person today with a social investigation report. The report is perused. The report be made part of the record.
4. Learned Counsel appearing for the Applicant submits that the Applicant is a juvenile. He is in custody since 15.1.2017. Charge-sheet has been filed and social investigation report does not suggest that on his release he will come in contact with any known criminal or there would be danger to his psychological and physical state of mind. Therefore, he may be extended the benefit of bail.
5. Learned Counsel appearing for the State opposes the prayer for grant of bail.
6. I have heard Learned Counsel appearing for the parties and perused the social investigation report with utmost circumspection.
7. I find that the social investigation report does not suggest that release of the Applicant would expose him to moral, psychological and physical danger. The report also does not suggest that on release of the Applicant there is likelihood of bringing him in association with any known criminal and his release would defeat the ends of justice.
8. Considering the nature of allegation, facts of the case and the fact that the Applicant is in custody since 15.1.2017 and charge-sheet has been filed, I am inclined to allow this revision and release the Applicant on bail.

9. Consequently, the revision is allowed and the impugned judgment dated 30.3.2017 is set aside. It is directed that the Applicant shall be released on bail on furnishing a surety of Rs.25,000/- to the satisfaction of the concerned Juvenile Justice Board for his appearance before the Board as and when directed by the said Board.

Sd/-
(Arvind Singh Chandel)
Judge