

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRR No. 683 of 2017

(Arising out of judgment/order dated 06.04.2017 in Criminal Case No. 136/2017-State Vs. Suraj Singh passed by the learned Judicial Magistrate First Class-Juvenile Justice Board, Raipur)

Suraj Singh S/o Shri Ranpal Singh, Aged about 15 years R/o Azad Chowk, Rameshwar Nagar, Police Station Khamtarai, Raipur, District, Chhattisgarh. Minor, Through Natural Guardian Uncle- Vikas Singh, S/o Ram Aasre Singh, Aged About 25 Years, R/o Azad Chowk, Rameshwar Nagar, Police Station Khamtari, Raipur, District- Raipur, Chhattisgarh. --- **Petitioner**

Versus

State of Chhattisgarh Through District Magistrate, Raipur, District Raipur, Chhattisgarh and also Thraough Police Station- Khamtarai, District- Raipur, Chhattisgarh. --- **Respondent**

11.09.2017	Shri Dashrath Kushwaha, Counsel for the Applicant. Shri Anupam Dubey, Dy.G.A. for the State. This revision is against the order dated 20.06.2017 passed in Criminal Appeal No. 150/2017 by the Court of Additional Sessions Judge (FTC), Raipur District- Raipur (C.G.) wherein, the order dated 06.04.2017 passed by the Juvenile Justice Board rejecting the bail application of the applicant was affirmed. As per the prosecution case on 14.03.2017 the police had received certain information that some persons are selling illicit liquor and pursuant thereto, when a raid was conducted, 5.400 Bulk litres of illicit liquor was seized from the possession of the applicant Learned counsel for the applicant submits that the applicant was not directly involved in the commission of crime and he only came into association with other persons who were present there, therefore, he has been falsely implicated. He prays that the applicant being a juvenile, may be enlarged on bail. Perused the social investigation report and the case diary. The case diary would would show that on raid being conducted from the applicant and other accused, 5.400 litres of liquor was seized.

The social investigation report suggest that the father of the applicant is no more and the applicant belongs to financially weaker section. The report suggest that he is a student of Class-6 and the friends of the applicant in the vicinity have also expressed their opinion that the applicant is showing positive attitude. It would also suggest that because of the some of the persons who are known to him in the locality, he along with others indulged in committing the offence and he was unaware of the result of the act done. The social investigation report also suggests that if the applicant is released on bail, his release will not likely to bring him into association with any known criminal or it will not expose him to moral, physical or psychological danger.

Having regard to the social investigation report which suggests that there are no chances of applicant's coming into association with any known criminal and further considering the facts and circumstances of the case, I do not find that the release of the juvenile applicant would defeat the ends of justice. Therefore, I am inclined to set him at liberty.

Consequently, the revision is allowed and the orders of the courts below are set aside. The applicant shall be released on bail on furnishing a surety in sum of Rs.25,000/- by the mother/natural guardian on behalf of the Applicant.

Cc as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

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