

HIGH COURT OF CHHATTISGARH, BILASPUR**CRR No. 685 of 2017**

Dageshwar Dhruv S/o Shri Gamman Dhruv Aged About 14 Years
R/o Dhan Laxmi Nagar, Police Station Khamtarai, District-Raipur,
Chhattisgarh. Minor, Through Natural Guardian Cousin Brother-
Ramavtar Dhruv, S/o Mohan Dhruv, Aged About 22 Years, R/o
Dhan Laxmi Nagar, Police Station Khamtarai, District-Raipur,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate, Raipur, District-
Raipur, Chhattisgarh And Also Through Police Station- Khamtarai,
District- Raipur, Chhattisgarh.

---- Respondent

For applicant - Shri P.K. Patel, Advocate.
For Respondent/State –Shri Sangarsh Pandey, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****21/08/2017**

1. This criminal revision is against the order dated 20/06/2017 passed by the Juvenile Court/Additional Sessions Judge, Fast Track Court, Raipur in Criminal Appeal No. 149/2017 wherein order dated 6/04/2017 by the Juvenile Justice Board refusing to grant bail was affirmed.
2. As per the case of the prosecution, on 14/03/2017 on an information received that at Railway Station Urkura a boy is selling illicit liquor raid was made and the applicant was arrested while selling liquor to the quantity of 6.300 bulk liter. He was found to be juvenile as such kept in custody. Subsequently, application having been filed was dismissed by the Juvenile Justice Board which was further affirmed by the Additional Sessions Judge in criminal appeal.
3. Learned counsel for the applicant would submit that the applicant is minor, he is in captivity since 14/03/2017 and considering the quantity and nature of the offence, the applicant has already suffered, therefore he may

be extended benefit of bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the social investigation report. It appears that the applicant was arrested while selling liquor. Thereby offence under Section 34 (2) of the Excise Act was registered against him. Social investigation report suggests that financial condition of the applicant's house is not well. Social investigation report further suggest that applicant was a student, he supports house hold activity and is obedient and further information received from the school also suggest that nature and conduct of the boy is also good. Neighbours also suggest that behaviour of the applicant is good. It is also stated that applicant earns for the livelihood of the family as such he was given liquor by a person has engaged as a daily wager to sell the same. 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 20/06/2017 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 guardian 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

