

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 893 of 2017

Santosh Yadav S/o Kamlesh Yadav, Aged About 17 Years, R/o 914
PGM, Shah Road, Police Station Jadavpur, Calcutta (West Bengal)
Minor Through Guardian Father Kamlesh Yadav

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, P. S. Ganj,
Raipur District Raipur Chhattisgarh

---- Respondent

For applicant - Shri Y.C. Sharma, Advocate.
For Respondent/State –Shri Ramakant Pandey, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

19/09/2017

1. Heard.
2. This revision is against the order dated 4/09/2017 passed by the 7th Additional Sessions Judge (FTC), Raipur, District Raipur (C.G.) in Criminal Appeal No. 216/2017. By such order the bail application which was rejected by the Juvenile Justice Board on 17/08/2017 was affirmed. The order was passed in Crime No.280/2017.
3. Brief facts of this case are that on 29/07/2017 on an information received on a raid being conducted from the possession of the applicant 9 bulk liters of liquor was seized. Therefore, he was arrested and offence has been committed.
4. Learned counsel for the applicant would submit that as per social investigation report it would show that the applicant was only carrier of the goods for petty sum and he is student of class 10th and no previous antecedents are reported against the applicant and no further investigation is necessary, applicant is in jail since 29/07/2017, therefore

he may be extended benefit of bail.

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

6. Perused the order as also the social investigation report. Social investigation report suggest that the applicant belong to low income group and he carried certain goods to hand it over at station and alongwith the goods liquor was also kept which was done for remuneration to be paid. Social investigation report further suggest that applicant is a regular student of class 10th and if he is kept in captivity it will affect him mentally and psychologically. Social investigation report 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.

7. Consequently, revision is allowed and the order dated 4/09/2017 passed by the 7th Additional Sessions Judge (FTC), Raipur, District Raipur (C.G.) in Criminal Appeal No. 216/2017 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 father 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