

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 378 of 2018**

Vikram Singh, aged about 16 years, S/o Shravan Singh, Through Natural Guardian Father Shravan Singh, R/o. Chandi Nagar, P.S. Pandary, Mova District- Raipur (C.G.).

---- Applicant**Versus**

State of Chhattisgarh Through- the District Magistrate, Raipur, District- Raipur (C.G.).

---- Respondent

For Applicant	:	Mr. Keshav Prasad Gupta, Advocate
For Respondent	:	Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**21/06/2018**

1. This revision has been preferred under Section 102 of the Juvenile Justice (Care and Protection of Children), Act 2015 (in short 'the Act 2015') against the judgment dated 22/02/2018 passed by the Juvenile Board/9th Additional Sessions Judge, Raipur (C.G.) in Criminal Appeal No. 47/2018, by which the 9th Sessions Judge has rejected the appeal arising out of the order dated 13/02/2018 dismissing his bail application passed in Criminal Case No. 27/2018 by the Principal Magistrate Juvenile Justice Board, Raipur.
2. A report was lodged by the complainant- Mukesh Yadav alleging that on the date of incident, the present applicant, who is juvenile along with co-accused Deepak assaulted the complainant with knife. An

offence under Section 307/34 of IPC was registered and the applicant was arrested on 18/01/2018. The applicant filed an application under Section 12 of the Act, 2015 before the Juvenile Justice Board, Raipur which was dismissed. Against the said dismissal, an appeal was preferred which was also dismissed. Hence this revision.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He is a juvenile, aged about 16 years and is in observation home since 18/01/2018. He further submits that the applicant do not have any criminal antecedent, the 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.
4. Learned Counsel appearing for the State opposes the prayer for grant of bail and supported the impugned judgment.
5. I have heard Learned Counsel appearing for the parties and perused the social investigation report and other material available on record.
6. In the case in hand, the report of Probation Officer does not suggest that released 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.
7. Considering the nature of allegation, facts of the case and the fact that

the Applicant is in observation home since 18/01/2018 and the charge-sheet has already been filed, I am inclined to allow this revision and release the Applicant on bail.

8. Consequently, the revision is allowed and the impugned judgment dated 22/02/2018 is set-aside. It is directed that the Applicant shall be released on bail on furnishing two sureties each 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