

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 570 of 2018**

Karan Sahu S/o Shri Mahadev Sahu, aged about 16 years, R/o In front of Ganj Mandi, Nawapara, P.S.- Gobra Nawapara, Tahsil & District- Raipur (C.G.), minor through natural guardian father Shri Mahadev Sahu S/o Shri Siddhu Sahu, aged about 45 years, R/o In front of Ganj Mandi, Nawapara, P.S. - Gobra Nawapara, Tahsil & District- Raipur (C.G.).

--- Applicant**Versus**

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

---- Respondent

For Applicant	:	Mr. A.D. Kuldeep, Advocate
For Respondent	:	Mr. Ramakant Pandey, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**26/07/2018**

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 05/05/2018 passed by the VIIth Additional Sessions Judge, Raipur (C.G.) in Criminal Appeal No. 118/2018, by which VIIth Additional Sessions Judge has rejected the appeal arising out of the order dated 24/04/2018 dismissing his bail application passed in crime No. 20/2018 registered at Police Station, Gobra, by the Juvenile Justice Board, Raipur.
2. As per prosecution story there was love relation between complainant and co-accused- Krishna Sahu. It is alleged that prior to 1 month from

lodging of FIR, the complainant broke the relation with co-accused and co-accused gave her threaten to kill. It was further alleged that on 27/01/2018 at about 7 pm, Krishna Sahu along with present applicant and other persons went to the house of complainant and Krishna Kumar thrown kerosene oil on the body of the complainant and thereafter they ran away from the spot. On the basis of above report made by the complainant, offence under Section 307/34 of IPC was registered against co-accused Krishna, present applicant and other co-accused. The applicant was arrested on 15/02/2018. 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 main accused is Krishna Kumar Sahu who has poured the kerosene oil on the body of the complainant. The applicant is innocent person he has not played any active role. He is a juvenile and is in custody since 15/02/2018. He further submits that charge-sheet has been filed and the 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 his release, 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 are in observation home since 15/02/2018 and charge-sheet has been filed, I am inclined to allow this revision and release him on bail.
8. Consequently, the revision is allowed and the impugned judgment dated 05/05/2018 is set-aside. It is directed that the applicant shall be released on bail on his 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