

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 762 of 2018**

Rahul Mandal, S/o Late Bhagirath Mandal, aged about 16 years, minor resident of Forsodih, P.S. Begabah, Giridih, District- Giridih (Jharkhand) through: Natural guardian brother Deepak Mandal, S/o Late Bhagirath Mandal, aged about 25 years, R/o Forsodih, P.S. Begabah, Giridih, District- Giridih (Jharkhand).

--- Applicant**Versus**

State of Chhattisgarh, through – Station House Officer, Police Station Devendra Nagar, Raipur, Civil and Revenue Distt. Raipur (C.G.).

---- Respondent

For Applicant	:	Mr. B.L. Sahu, Advocate
For Respondent	:	Mr. N.K. Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**11/09/2018**

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 06/06/2018 passed by the Juvenile Court/9th Additional Sessions Judge, Raipur (C.G.) in Criminal Appeal No. 148/2018, whereby, the 9th Additional Sessions Judge has rejected the appeal arising out of the order dated 17/05/2018 dismissing his bail application passed in Crime No. 48/2018, Police Station- Devendra Nagar, Raipur by the Juvenile Justice Board, Raipur.
2. As per prosecution story, the allegation against the present applicant is that he contacted complainant- Devendra Singh Changravanshi from

mobile to update the pensioner account in the SBI Branch and thereafter he has embezzled an amount of Rs. 2,75,000/- through online by taking details of ATM and PAYTM. On the basis of said report, offence under Section 420 and 201 of the IPC and Section 66 of IT Act has been registered against the present applicant. The applicant was arrested on 16/04/2018. He 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 the applicant is innocent and has been falsely implicated in the present case. He further submits that the applicant is a juvenile, he is in custody since 16/04/2018 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 submitted the impugned order.
5. I have heard Learned Counsel appearing for the parties and perused the social investigation report and other material available on record.
6. Considering the nature of allegation, facts of the case and the fact that the applicant is in observation home since 16/04/2018, he is juvenile, he has no known criminal antecedent 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, I am inclined to allow this revision and release him on bail.

7. Consequently, the revision is allowed and the impugned judgment dated 06/06/2018 is set-aside. It is directed that the applicant shall be released on bail on his furnishing a bail bond of Rs. 25,000/- with one local surety of the like sum 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