

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 969 of 2018**

Heena Parveen D/o Late Abdul Hamid, aged about 17 yers and 6 months R/o Village Bandhwapara, Police Station Purani Basti, Raipur, District Raipur (C.G.).

Through Legal guardian Sister Smt. Shakila Kirtan W/o Shri Durga Kirtan, aged about 25 years R/o Village Bandhwapara, Police Station Purani Basti, Raipur, District Raipur (C.G.).

---- Applicant**Versus**

State of Chhattisgarh through Station House Officer, Police Station City Kotwali, Raipur, District Raipur (C.G.).

---- Respondent

For Applicant	:	Mr. Krishna Kumar Dixit, Advocate
For Respondent	:	Mr. Shangarsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**13/12/2018**

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 20/07/2018 passed by the Ninth Additional Sessions Judge, Raipur, District Raipur (C.G.) in Criminal Appeal No. 204/2018, by which the Ninth Additional Sessions Judge has rejected the appeal arising out of order dated 11/07/2018 dismissing his bail application passed in Crime No. 190/2018, Police Station City Kotwali, Raipur, District Raipur by the Juvenile Justice Board, Raipur.
2. As per prosecution story, on 10/06/2018 on the basis of information

received from the informant, Investigating Officer of the case searched and seized total 30 grams of brown sugar from the possession of the Applicant. Offence has been registered and the Applicant has been taken into custody on 11/06/2018. The Applicant filed an application under Section 12 of the Act for grant of bail, 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 has been falsely implicated in the present case. He further submits that the Applicant is a juvenile, he is in custody since 11/06/2018, charge-sheet has been filed and social investigation report does not suggest that on release of the Applicant, 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. Considering the nature of allegation, facts of the case and the fact that the Applicant is in observation home since 11/06/2018, charge-sheet has already been filed and social investigation report does not suggest that on release of the Applicant, 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

the Applicant on bail.

7. Consequently, the revision is allowed and the impugned judgment dated 20/07/2018 is set-aside. It is directed that the Applicant shall be released on bail on his furnishing two sureties each of Rs. 20,000/- 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

Rahul