

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 970 of 2018**

Vijay Kumar Ratre S/o Jitendra Kumar Ratre, aged about 16 years and 6 months R/o Village Jugesar, P.S. Mandir Hasaud, District- Raipur (C.G.), Through Legal Guardian Father Jitendra Kumar Ratre.

---- Applicant**Versus**

State of Chhattisgarh through: the District Magistrate, Raipur, District Raipur (C.G.).

---- Respondent

For Applicant	:	Mr. A.D. Kuldeep, Advocate
For Respondent	:	Ms. Smita Ghai, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**02/11/2018**

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 16/07/2018 passed by the Juvenile Court/9th Additional Sessions Judge, Raipur, District- Raipur in Criminal Appeal No. 200/2018, by which the 9th Additional Sessions Judge has rejected the appeal arising out of the order dated 10/07/2018 dismissing his bail application passed in Crime No. 92/2018, Police Station Rakhi, Distt. Raipur by the Juvenile Justice Board, Raipur.
2. As per prosecution story, complainant- Kailash made a report stating therein that on the date of incident when he reached Nimora Choraha, the present applicant and other co-accused persons assaulted him

and looted Rs. 12,000/- cash and one mobile phone from him. On the basis of said report, offence has been registered and the applicant has been arrested on 15/06/2018. He filed an application under Section 12 of the Act, 2015 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 is a juvenile aged about 16 years and 6 months, charge-sheet has already 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. Considering the nature of allegation, facts of the case and the fact that the Applicant is in observation home since 15/06/2018, charge-sheet has already 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, I am inclined to allow this revision and release the Applicant on bail.
7. Consequently, the revision is allowed and the impugned judgment dated 16/07/2018 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