

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 334 of 2019**

Saroj Kumar S/o Shri Mehilal, aged about 17 years R/o Village Smra, P.S. Pondi, District Koriya (C.G.), represented by his natural Guardian (Father), Shri Mehilal S/o Shri Sukhnandan, aged about 65 years R/o Village Semra, P.S. Pondi, District Koriya (C.G.).

----Applicant**Versus**

State of Chhattisgarh, Through the Police Station House Officer, Police Station Sonhat, District Koriya (C.G.)

---- Respondent

For Applicant	:	Ms. Meena Shastri, Advocate
For Respondent	:	Mr. D.P. Singh, Dy. Advocate General

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****04/04/2019**

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 judgment dated 19/02/2019 passed in Criminal Appeal No. 14/2019 by the Sessions Judge, Baikunthpur, whereby the Sessions Judge has rejected the appeal arising out of order dated 15/11/2018 dismissing his bail application passed in Criminal Case No. 30/2018 by the Juvenile Justice Board, Baikunthpur.
2. As per prosecution story, Complainant Devprasad lodged a report stating therein that on 12/02/2018, the Applicant had taken his daughter along with him. It is alleged that on the pretext of marriage, the Applicant committed sexual intercourse with the Prosecutrix. During investigation, the

Prosecutrix was recovered from the house of the Applicant. Her statement under Section 164 of the Cr.P.C was recorded. The Applicant has been taken into custody on 16/02/2018. 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 further submits that the Applicant is juvenile aged about 17 years who is in custody since 16/02/2018 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 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 16/02/2018 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

19/02/2019 is set-aside. It is directed that the Applicant shall be released on bail on his furnishing two local 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**

Rahul