

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 386 of 2019**

Vijay Verma S/o Late Dujram Verma, aged about 17 years, by Caste Kurmi (Minor), Through Guardian/Brother- Jeetendra Kumar Verma S/o Late Dujram Verma, aged about 24 years, R/o Village Pendri, P.S. Pamgarh, District Janjgir-Champa

----Applicant**Versus**

State of Chhattisgarh, Through Police Station Pamgarh, District Janjgir-Champa (C.G.)

---- Respondent

For Applicant	:	Mr. Rohitashva Singh, Advocate
For Respondent	:	Mr. Alok Nigam, PL

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****05/04/2019**

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 05/03/2019 passed in Criminal Appeal No. 27/2019 by the Special Judge (Atrocity), District Janjgir Champa, whereby the Special Judge has rejected the appeal arising out of order dated 27/02/2019 dismissing his bail application passed in Crime No. 86/2019, P.S. Pamgarh by the Juvenile Justice Board, Janjgir-Champa (C.G.).
2. As per prosecution story, on 20/02/2019 the sister of the Prosecutrix made a report alleging therein that the Applicant entered in the house of the Prosecutrix and caught hold the hands of the prosecutrix and pressed her breast. When the Prosecutrix shouted, the Applicant fled away from the sport. The Applicant has been arrested on 21/02/2019. 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 21/02/2019 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 21/02/2019 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 05/03/2019 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