

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRR No. 429 of 2019**

Aamir Khan (Juvenile) S/o Tufail Khan Aged About 16 Years
Through Natural Guardian Father Tufail Khan, R/o Prem Nagar,
In Fornt Of Nav Nihal School, Mova, District Raipur (C.G.).

---- **Applicant**
(In Jail)

Versus

State Of Chhattisgarh Through District Magistrate Tahsil And
District Raipur (C.G.).

---- **Respondent**

For Applicant	: Shri Devershi Thakur, Advocate.
For Respondent	: Shri Ghanshyam Patel, Govt. Advocate.

Hon'ble Smt. Rajani Dubey, Judge

Judgment On Board**27/05/2019**

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 18/02/2019 passed in criminal appeal No. 107/2019 by the Ninth Additional Sessions Judge (Children's Court), whereby the Principal Judge (Juvenile Justice Board) has dismissed the appeal arising out of order dated 02/02/2019 rejecting his bail application passed in Crime No. 13/2019, P.S. Pandri by the Juvenile Justice Board, Raipur (C.G.).
2. As per prosecution story, on 08/01/2019 at about 17:50 A.M., the Applicant along with other co-accused persons looted beg from the hand of Complainant Smt. Radha while she was going to Hospital. A report in this regard was lodged by the Complainant and offence has been registered. The Applicant has been arrested on 08/01/2019. 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 16 years who is in custody since 08/01/2019 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 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 08/01/2019 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 order dated 18/02/2019 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/-
(Rajani Dubey)
Vacation, Judge