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HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No.569 of 2019**

Vijay Jasuja, son of Chandra Kumar Jasuja, aged about 16 years, through natural guardian father Chandra Kumar Jasuja, son of Sundar Lal Jasuja, aged about 45 years, resident of E.W.S. 178, Maharana Pratap Nagar, Chouki Rampur Korba, Tahsil and District Korba, Chhattisgarh

---- Applicant

versus

State of Chhattisgarh through District Magistrate Korba, District Korba, Chhattisgarh represented through Police Station AJK Korba, District Korba, Chhattisgarh

---- Respondent

For Applicant	: Shri Vikash Pandey, Advocate
For Respondent	: Shri V.K. Agrawal, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****17.5.2019**

1. This revision is directed against the judgment dated 1.4.2019 passed by the Special Judge under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act (henceforth 'the Prevention of Atrocities Act'), Korba in Criminal Appeal No.22 of 2019 arising out of the order dated 13.3.2019 passed by the Juvenile Justice Board, Korba in a case relating to Crime No.33 of 2018 of Police Station AJK, Korba registered for offences punishable under Section 307/34 of the Indian Penal Code and Section 3(1)(द)(घ) and 3(2)(v)(क) of the Prevention of Atrocities Act.
2. Case of the prosecution, in brief, is that on 1.10.2018, H.C. Jangde, father of the injured lodged a complaint against the present Applicant and other co-accused persons stating therein that on 30.9.2018, the Applicant along with other co-accused

persons abused his son/injured in the name of his caste and also assaulted him with a knife and as a result of the assault his son sustained injuries on his stomach. On the basis of the report, offences have been registered. During the course of investigation, the Applicant has been arrested. An application for grant of bail to the Applicant was filed before the Juvenile Justice Board, which has been rejected. An appeal was also preferred, which has been rejected vide the impugned judgment dated 1.4.2019.

3. Learned Counsel appearing for the Applicant submits that the Applicant has been falsely implicated in the case. At the time of incident, the Applicant was only present at the spot. There was no active participation on his part. The main assailant is co-accused Pradeep, who assaulted the injured with a knife. The Applicant is a juvenile. He is in observation home since 7.3.2019. The social investigation report also does not suggest anything against the Applicant. Therefore, the Applicant may be admitted to benefit of bail.
4. Learned Counsel appearing for the State opposes the prayer for grant of bail.
5. I have heard Learned Counsel appearing for the parties and perused the case diary and the social investigation report dated 8.5.2019 with utmost circumspection.
6. I find that the social investigation report does not suggest that release of the Applicant would expose him to moral, psychological and physical danger. The report also does not suggest that on release of the Applicant there is likelihood of bringing him in

association with any known criminal and his release would defeat the ends of justice.

7. Having considered the aforestated facts and circumstances of the case, the submissions put-forth, the social investigation report and that the Applicant is in observation home since 7.3.2019, I am inclined to allow this revision and release the Applicant on bail.
8. Consequently, the revision is allowed. The impugned judgment dated 1.4.2019 is set aside. It is directed that the Applicant shall be released on bail on furnishing a surety of Rs.10,000/- to the satisfaction of the concerned Juvenile Justice Board for his appearance before the said Board as and when directed by the Board.

Sd/-
(Arvind Singh Chandel)
Judge