

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 1122 of 2018**

Pawan Singh Thakur S/o Late Shyam Thakur, aged about 17 years R/o Ward No. 6, Jatashankar, B.D. Colony, Damoh, Police Station Damoh, District Damoh (M.P.), minor represented through uncle Anarat Singh S/o Bahuraj Singh, aged about 45 years,

---- Applicant**Versus**

State of Chhattisgarh through the Station house Officer, Police Station Mahasamund, District Mahasamund (C.G.).

---- Respondent

For Applicant	:	Mr. Vikash Pradhan, Advocate
For Respondent	:	Ms. Smita Ghai, PL

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****03/01/2019**

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 the judgment dated 14/09/2018 passed by the Juvenile Court/Additional Sessions Judge, (FTC) Mahasamund in Criminal Appeal No. H-86/2018, whereby the Additional Sessions Judge has rejected the appeal arising out of the order dated 12/09/2018 dismissing his bail application passed in Criminal Case No. 37/2018 by the Juvenile Justice Board, Mahasamund.
2. As per prosecution story, it is alleged that on 16/01/2018 during vehicle checking, the police official recovered 68.20 Kg. Cannabis from dikky

of vehicle bearing registration No. M.P.34 CA 2361, which was being driven by co-accused Bhupendra Rai. It is also alleged that another co-accused Sahab Singh Lodhi was also sitting beside driver sit and the Applicant along with co-accused Dharmendra Singh were sitting in back seat of car. On the basis of above, offence has been registered and the Applicant has been taken into custody on 16/01/2018. 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 17 years 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 16/01/2018 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 14/09/2018 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