

HIGH COURT OF CHHATTISGARH, BILASPUR

Cr.R. No. 1348 of 2019

- Sukdev @ Prabhu Yadav S/o Late Ramswarup Yadav Aged About 17 Years Through Guardian (Elder Brother) Vijay Yadu, S/o Late Ramswarup Yadav Aged About 20 Years, R/o Village Kirta, Police Station Nandghat, District Bemetara Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Koni, Bilaspur, District Bilaspur Chhattisgarh

---- Respondent

For Petitioners	:	Mr. Ravindra Sharma, Advocate.
For State/respondent	:	Mr. Neeraj Pradhan, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order on Board

22-11-2019

Heard.

1. This petition has been brought being aggrieved by the impugned judgment dated 19.09.2019 passed by the Additional Sessions Judge, F.T.C., Bilaspur in Criminal Appeal No.201/2019 by dismissing the appeal of the applicant for grant of bail.
2. It is submitted by the learned counsel for the applicant that the applicant is a juvenile and it is a case of love affair of the applicant with the prosecutrix. The Courts below have not at all considered the direction given in Section 12 of Juvenile Justice Care and Protection Act, 2015, while dismissing the bail application of the application. Therefore, it is prayed that this revision be allowed.
3. Learned counsel for the State oppose the application.
4. Heard learned counsel for both the parties and perused the documents.
5. According to prosecution case, this applicant on pretext of marrying the prosecutrix of age about 14 years has exploited her sexually.
6. Considering the social status report of the applicant which shows that he

does not have any criminal antecedent and he comes from an economically poor section of the society and there are no chances of his living in association of any criminal elements, therefore, I feel inclined to allow this application.

7. Hence, the petition is allowed and disposed off with this direction to the Juvenile Board that on furnishing bail bonds of Rs.25,000/- by the parent or guardians of the petitioner, he may be handed over in custody of his parents or guardian, on condition that the petitioner shall be taken care of, he should be made to devote to the studies and that he should not be allowed to associate with any criminal elements.
8. Accordingly, the petition stands disposed off.

Monika

Sd/-
(Rajendra Chandra Singh Samant)
Judge