

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 1289 of 2018**

Minor Vishal @ Laden Yadav S/o Babulal Yadav, aged about 15 years, Legal guardian Grandmother Panbudi Yadav W/o Late Kunjal Yadav, R/o Mohalla Mitthumuda, Police Chowli Jutmil, Raigarh, Tahsil and District Raigarh (C.G.).

---- Applicant**Versus**

State of Chhattisgarh Through the Station House Officer, Jutmil, P.S. Kotwali, District Raigarh (C.G.).

---- Respondent

For Applicant	:	Mr. M.K. Jaiswal, Advocate
For Respondent	:	Mr. Alok Nigam, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**10/01/2019**

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 03/11/2018 passed by the Additional Sessions Judge, (FTC) District Raigarh in Criminal Appeal No. 174/2018, whereby the Additional Sessions Judge has rejected the appeal arising out of the order dated 31/10/2018 dismissing his bail application passed in Crime No. 851/2018, P.S. Kotwal, Raigarh by the Juvenile Justice Board, Raigarh.
2. As per prosecution story, on 09/07/2018, the Applicant along with other co-accused persons assaulted Complainant Deepak by a stone, rod and bricks. The Complainant received injuries on his head. A report

was made by one Sunil Sahu. On the basis of report, offence has been registered. The Applicant has been taken into custody on 11/07/2018. 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. The Applicant is a juvenile aged about 15 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 11/07/2018 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 03/11/2018 is set-aside. It is directed that the Applicant shall be released on bail on his furnishing two 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