

HIGH COURT OF CHHATTISGARH, BILASPUR**Order Sheet****CRA No. 142 of 2020**

- Dharmendra Tandon @ Lalla S/o Domar Tandon, Aged About 17 Years (Minor) Through Natural Guardian Mother Smt. Pramila Bai W/o Domar Tandon Aged About 45 Years, R/o Jugesar, Police Station Mandir Hasoud, District Raipur (C.G.).

----Appellant**Versus**

- State Of Chhattisgarh Through Police Station Rakhi, District Raipur, (C.G.).

---- Respondent

24/11/2020	Shri Kishore Narayan, counsel for the appellant. Miss Veena Nair, Dy. Advocate General for the State/ respondent. The appellant has filed this appeal under Section 101(5) of Juvenile Justice (Care & Protection of Children) Act, 2015 read with Section 374(2) of Cr.P.C. against the order dated 20/12/2019 passed by Additional Sessions Judge (Juvenile Court) Raipur (C.G.) in Special Cr. Case No. 07/2018, whereby the bail application of the appellant under Section 12 of the Juvenile Justice (Care & Protection of Children) Act, 2015 has been rejected. As per prosecution story, complainant Kailash made a report stating therein that on the date of incident when he reached Nimora Choraha, the present appellant and other co-accused persons assaulted him and looted Rs. 12,000/- and one mobile phone from him. On the basis of said report, offence under Section 394 of IPC under crime No.

92/2018 at Police Station Rakhi, District Raipur, (C.G.) has been registered and appellant has been arrested.

Learned counsel for the appellant submits that the appellant is an innocent person and has been falsely implicated in this case and that similar situated Juvenile delinquent has already granted bail by the Co-ordinate Bench vide order dated 02/11/2018 passed in Criminal Revision No. 970/2018 and therefore the appellant be also released on bail.

On the other hand, State counsel opposes the bail application.

Considering the facts and circumstances of the case, in particular the fact that similarly situated juvenile has already been released on bail by the Co-ordinate Bench of this Court, without expressing anything on merits of the case, this Court is of the opinion that present is a fit case for releasing the appellant on bail on furnishing 2 sureties each of **Rs. 20,000/-** to the satisfaction of the concerned Children Court for his appearance before the said Court as and when directed by it

-Sd/-
(Gautam Chourdiya)
Judge