

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CR.R. No. 297 of 2020

Anil Kumar Patle S/o Janak Ram Patle, Aged About 17 Years R/o Village Telasi, District Balodabazar Bhatapara Chhattisgarh..

---- Petitioner

Versus

State Of Chhattisgarh Through The Excise Officer, Excise Circle, Pandri, District Raipur Chhattisgarh.

-----Respondent

For Petitioner	: Mr. Amitesh Kumar Pandey, Advocate
For Respondent/State	: Mr. Sudeep Verma, Dy.G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

26/05/2020

1. Challenge in this petition is to the order dated 05.01.2020, passed by learned Additional Sessions Judge (FTC), Raipur, Dist. Raipur (C.G.), in Criminal Appeal No. 59/2020, whereby the appeal preferred by the applicant/juvenile against the order of Magistrate, Juvenile Justice Board, Raipur, District – Raipur dated 25.01.2020, in Criminal Case No.617/2019 has been dismissed, whereby the applicant has been denied bail.
2. It is submitted that the applicant has been falsely implicated in this case. The applicant is in observation home since 11.12.2019. The social status report is in the favour of the applicant, even though the learned Board and appellate Court both have not considered the

same and rejected his prayer for grant of bail. It is prayed that revision be allowed and the relief be granted to the applicant.

3. State counsel opposes the petition and grounds raised in this respect. It is submitted that father of the applicant is also accused of commission of crime under Excise Act and therefore, the applicant on his release will have to remain in custody of his father thus he shall associated with criminal element, hence, this revision be dismissed.
4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. According to the prosecution case, this applicant was found in possession of 90 liters of foreign liquor. Hence, this case.
6. After considering the facts of the case, I am of this view that social status-report had been in favour of the applicant and specific reasons on the basis of which any prayer for bail to the juvenile can be rejected do not appear present in this case, therefore, I feel inclined to allow this revision petition.
7. Consequently, the order dated 05.01.2020, by the Sessions Judge is set-aside. It is directed that applicant shall be released on bail on furnishing a surety of Rs.25,000/- and a bond of same amount by his father to the satisfaction of the concerned Juvenile Justice Board, for his appearance as and when directed. The applicant then shall be given in custody of his natural father.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge