

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 495 of 2020**

Subhash Kurre S/o Chunnu Kurre aged about 13 years R/o Mini Basti,
Jarhabhata, P.S. Civil Line, Distt. Bilaspur (C.G.)

----Applicant**Versus**

State of Chhattisgarh, through P.S. Civil Line, Distt. Bilaspur (C.G.)

---- Respondent

For Applicant	:	Mr. Rajeev Kumar Dubey, Advocate
For Respondent	:	Mr. Ghanshyam Patel, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****23/11/2020**

1. The matter is heard through video conferencing.
2. 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 judgment dated 21/05/2020 passed in Criminal Appeal No.70/2020 by the Additional Sessions Judge (FTC) Bilaspur (C.G.), whereby the Additional Sessions has rejected the appeal arising out of order dated 22/01/2020 dismissing his bail application passed in Crime Number 16/2020, Police Station Civil Line, Bilaspur by the Principal Magistrate of Juvenile Justice Board, Bilaspur (C.G.).
3. According to the case of the prosecution story, on 15/01/2020, a secret information was received by Sub Inspector Parivesh Tiwari, Police Station, Civil Line, Bilaspur that son of Jogni Shringar, Shop Owner af Minisbastri Jarhabhata, Bilaspur is selling illegal injecting drug. On such information

police Civil Line reached the spot and seized rexogesic injections, total 235 numbers, in which narcotic drug was present. The Applicant has been arrested. He filed an application under Section 12 of the Act, 2015 for grant of bail before the Juvenile Board, Bilaspur which was dismissed. Against the said dismissal, an appeal was preferred which was also dismissed. Hence, this revision.

4. Learned counsel appearing on behalf of the Applicant submits that the Applicant has been falsely implicated in the present case. He further submits that the Applicant is juvenile aged about 13 years who has already undergone about 8 months out of total sentence of 1 year awarded to him, 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.
5. Learned Counsel appearing for the State opposes the prayer for grant of bail and supported the impugned judgment.
6. I have heard Learned Counsel appearing for the parties and perused the social investigation report and other material available on record.
7. Considering the nature of allegation, facts of the case and the fact that the Applicant is in observation for last 8 months 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.

8. Consequently, the revision is allowed and the impugned judgment dated 21/05/2020 is set-aside. It is directed that the Applicant shall be released on bail on his furnishing two local 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