

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CR.R. No. 526 of 2020

Devnarayan, S/o. Radheshyam Dansena, aged about 16 years, R/o. Village Bodasagar, Post Office Phaguram, Tahsil Malkharauda, District Janjgir Champa Chhattisgarh. Through Natural Guardian Father Radheshyam Dansena.

---- Applicant

Versus

State Of Chhattisgarh, Through : The Police of Police Station, Tikrapara, Raipur, District Raipur Chhattisgarh.

-----Respondent

For Petitioner	: Mr. Deepak Kumar Singh, Advocates
For Respondent/State	: Mr. Vimlesh Bajpai, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

11/08/2020

1. Challenge in this petition is to the order dated 08.06.2020, passed by learned Additional Sessions Judge (F.T.C.), Raipur, District – Raipur (C.G.), in Criminal Appeal No.863/2020, whereby the appeal preferred by the applicant/juvenile against the order of Magistrate, Juvenile Justice Board, Mana Camp, Raipur, District – Raipur dated 01.06.2020, 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 evidence in this case is not against the applicant and

there is nothing to show that he has actively participated in the commission of offence. The social status report also have been in favour of the applicant even then the Juvenile Justice Board as well as the Appellate Court both have not appreciated the same in passing the order. Interference is prayed for by this revision.

3. State counsel opposes the petition and grounds raised in this respect. It is submitted that the Juvenile Justice Board as well as the Appellate Court both have not committed any error in passing the order, therefore, no interference is needed.
4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. Considered on the submissions and the facts of the case. The evidence against the applicant juvenile-in-conflict with law is only on the memorandum statement recorded by the police. The social status report mentions that the applicant has no criminal antecedents and he is student of Class-11th, therefore, it appears that there is no possibility of his being associated with any criminal element or that he will be exposed to social, psychological and physical danger. There is also no reason present to hold that the release of the applicant on bail would defeat the ends of justice, therefore, I feel inclined to allow this revision petition.
6. Consequently, the order dated order dated 08.06.2020, passed by learned Additional Sessions Judge (F.T.C.), Raipur, District – Raipur (C.G.), in Criminal Appeal No. 863/2020, is set-aside. It is directed that on furnishing a surety of Rs.25,000/- along with a bond of same amount, which is to be of his father to the satisfaction of the

concerned Juvenile Justice Board, for his appearance as and when directed, then the applicant shall be given in custody of his natural father.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram