

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 187 of 2021

Dhanendra Kumar Sahu S/o Shri Hemlal Sahu Aged About 17 Years 3 months
R/o Village Charnhatha, Tahsil Magarload, District Dhamtari Chhattisgarh
Minor Through Natural Guardian Father Shri Hemlal Sahu S/o Shri Ramdhin
Sahu, Aged About 40 Years R/o Village Charnhatha, Tahsil Magarload, District
Dhamtari Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate Dhamtari District Dhamtari
Chhattisgarh, District : Dhamtari, Chhattisgarh

---- Non-Applicant

For Applicant	:	Mr. Sunil Sahu, Advocate
For Non-Applicant	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

12/05/2021

1. The present revision has been preferred assailing the order dated 24.02.2021, passed by the Additional Sessions Judge (FTC) Dhamtari, in Criminal Appeal No.10/2021, by which the application for bail has been rejected by the Court below.
2. As per the prosecution case, the applicant along with the other accused person is said to have entered into a liquor shop on 01.02.2021 and have committed robbery of cash amount of Rs.5,81,460/- and have also caused damage to the liquor bottles in the said shop. The applicant is in the Juvenile Home since 04.02.2021 and as such has already suffered detention of more than 3 months.
3. Counsel for the applicant submits that it is the first offence committed by the applicant, moreover the applicant is a young boy aged around 17

years and keeping the applicant for a long period at the Juvenile Home may have an adverse impact so far as his natural growth is concerned and also that he is likely to come up in contact with other juveniles who have committed more serious offences, which can also have an adverse impact on the mental growth of the applicant, therefore he should be released on bail.

4. State counsel on the other hand opposing the revision submits that releasing the applicant at this juncture can lead of his getting again associated with the other accused persons and that he would get exposed to the moral, physical and psychological growth and therefore the application should be rejected.
5. Having heard the contentions put forth on either side and on perusal of record, particularly taking note of the nature of offence, age of the applicant and the period of custody that he has undergone. More particularly, considering the pandemic situation prevailing, this Court is of the opinion that a strong case for allowing the revision has been made out. Accordingly, the impugned order dated 24.02.2021 is set-aside. The applicant is ordered to be released subject to his furnishing a bond of Rs.25,000/- with two sureties and also on the condition that the applicant shall report before the concerned Juvenile Justice Board hearing his case on all the dates that would be provided by the concerned Juvenile Justice Board.
6. With the aforesaid observations, the present revision stands disposed of.

Sd/-
(P. Sam Koshy)
VACATION JUDGE