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HIGH COURT OF CHHATTISGARH, BILASPUR**Proceedings through Video Conferencing****Criminal Revision No. 342 of 2021**

- Ravi Alias Sonu Sahu, son of Bhushan Lal Sahu, aged 17 years, resident of village Pandhi, Thana – Aarang, District – Raipur (CG), through his father Shri Bhushan Lal Sahu, son of Jogiram Sahu, aged 52 years, resident of village Pandhi, Thana - Aarang, District – Raipur (CG.)

---- Petitioner**Versus**

- State Of Chhattisgarh, through the Police Station Chauki – Baya, Thana – Rajadevri, District – Balodabazar – Bhatapara (C.G.)

----Respondent

 For Petitioner : Ms. Supriya Upasene, Advocate.
 For Respondent/State : Mr. Dinesh Tiwari, Dy. Govt. Advocate.

Hon'ble Mr. Justice N.K. Chandravanshi**Order On Board****09-08-2021**

(1) Challenge in this revision petition is to the order dated 26.03.2021 passed by learned First Additional Sessions Judge (FTC), Baloda Bazar in Criminal Appeal No.08/2021 whereby the appeal preferred by the applicant/juvenile against the order of Juvenile Justice Board, Baloda Bazar dated 17.03.2021 has been dismissed, whereby applicant/juvenile has been denied bail.

(2) It is submitted by learned counsel for the applicant/juvenile that the applicant/juvenile is an innocent boy of 17 years, who is studying in Class-XII as a private student, he has been falsely implicated in this case. There is nothing against him in the social status report, on the basis of which, he may be denied bail in view of proviso to Section 12(1) of the Juvenile Justice (Care and Protection of Children) Act,

2015. He further submits that the applicant is in Observation Home since 04.03.2021 and staying there for more period will adversely affect his childish mentality. She also submits that the impugned order and the order of Juvenile Justice Board are erroneous, which are unsustainable in the eye of law, therefore, the revision petition may be allowed and requested relief may be granted to the applicant / juvenile.

(3) On the contrary, learned counsel for the State would oppose the the revision petition.

(4) Victim/prosecutrix and her mother would submit that bail should not be granted to the applicant/juvenile and bail application filed by the applicant must be rejected.

(5) I have heard learned counsel for the respective parties, perused the documents placed on record and also considered the submissions made by counsel for both the parties.

(6) As per social status report, applicant is private student of class -XII and this is first case of crime registered against the applicant and there is no previous criminal antecedents against the applicant. Applicant is languishing in Observation Home since 04.03.2021. No any such specific circumstances mentioned in social status report, which may be a ground for denial of bail to the applicant/juvenile as per proviso to Section 12(1) of Juvenile Justice (Care and Protection of Children) Act, 2015. Thus, the Juvenile Justice Board as well as Appellate Court, both have committed an error in not appreciating the social investigation report properly and rejected the bail of the applicant/Juvenile. Hence, I am inclined to allow this revision petition.

(7) Consequently, the revision is allowed. The order dated 26.03.2021 passed by Additional Sessions Judge (FTC), Baloda Bazar in Criminal Appeal No. 08/2021 is set

aside. It is directed that on furnishing a surety of Rs. 20,000/- along with a bond of same amount which is to be of his natural guardian/father/mother 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 guardian/father/mother.

Certified copy as per rules.

Sd/-

(N.K. Chandravanshi)

Judge

Dubey/-

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Proceedings through Video Conferencing**Criminal Revision No. 342 of 2021**Ravi Alias Sonu Sahu **Versus** State of Chhattisgarh.

09/08/2021	Ms. Supriya Upasane, counsel for the petitioner. Mr. Dinesh Tiwari, Dy. Govt. Advocate for the State / Respondents. Victim/Prosecutrix alongwith her mother have appeared through Video Conferencing from District Legal Service Authority, Baloda Bazar. Mr. Suraj Bajaj, PLB of DALSA, Baloda Bazar, who connected the victim/prosecutrix and her mother through Video Conferencing, would submit that victim/prosecutrix and her mother have brought their Adhaar Cards. He is directed to get the photo-copy of the Adhar cards brought by the Victim/prosecutrix and her mother and to provide the same to the Registry of this Court, so that the same will be attached with this case. Victim/Prosecutrix and her mother submit that bail should not be granted to the applicant/juvenile and bail application filed by the applicant must be rejected. Detailed order passed separately. Sd/- (N.K. Chandravanshi) Judge
D/-	