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**HIGH COURT OF CHHATTISGARH, BILASPUR****Proceedings through Video Conferencing****Criminal Revision No. 310 of 2021**

- Amit Sonkar, son of Raju @ Rajendra Sonkar, aged about 16 years 7 months, resident of village Sonkar Para, Near Sati Temple, Purani Basti, P.S. Purani Basti, Raipur, District Raipur (C.G.) through legal natural guardian father Raju @ Rajendra Sonkar, aged about 59 years, son of Basawan Sonkar, resident of village Sonkar Para, Near Sati Temple, Purani Basti, P.S. Purani Basti, Raipur, District Raipur (C.G.)

**---- Applicant****Versus**

- State Of Chhattisgarh Through : Station House Officer, Police Station Purani Basti, Raipur, Distt. Raipur (C.G.)

**----Respondent**

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 For Applicant : Mr. C.R. Sahu, Advocate  
 For Non-applicant/State : Mr. Dinesh Tiwari, Dy. Govt. Advocate.  
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**Hon'ble Mr. Justice N.K. Chandravanshi****Order On Board****16-7-2021**

(1) Challenge in this revision petition is to the order dated 24.04.2021 passed by Special Judge (Atrocities) and Upper Sessions Judge, Raipur (C.G.) in Criminal Appeal No.76/2021 whereby the appeal preferred by the applicant/juvenile against the order of the Juvenile Justice Board, Mana Camp, Raipur dated 15.04.2021 in Crime No. 96/2021 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 has not committed any offence and he has been falsely implicated in the crime in question. This is first crime registered against him. He further submits

that the applicant is in Observation Home since 05.04.2021 and staying there for more period will adversely affect his childish mentality. 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 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 while opposing the revision petition would submit that both the courts below have not committed any error in passing the impugned order, which does not call for any interference by this Court.

(4) Victim/prosecutrix and her father & mother have appeared through Video Conferencing from District Legal Service Authority, Raipur. They opposed the bail application and prayed that bail must not be granted to the applicant/juvenile.

(5) Considered on the submissions made by learned counsel for the parties and also gone through the submission made by prosecutrix and her parents.

(6) As per social status report, the applicant had committed the crime under the influence of teenage frenzy but this is first case registered against the applicant and if he is granted bail then there is no probability to the effect that the applicant would again connect in association with known criminals or expose him to moral, physical or psychological danger. 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 status 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 24.04.2021 passed by Special Judge (Atrocities) and Upper Sessions Judge, Raipur (C.G.) in Criminal Appeal No.76/2021 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 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

## HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

***Proceedings through Video Conferencing*****Criminal Revision No. 347 of 2021**Devraj Sonkar - **Versus** – State of Chhattisgarh

Alongwith

**Criminal Revision No. 310 of 2021**

Anil Sonkar v. State of Chhattisgarh

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| 16/07/2021 | <p>Mr. C.R. Sahu, counsel for the respective applicants.</p> <p>Mr. Dinesh Tiwari, Dy. Govt. Advocate for the State / non-applicant.</p> <p>Victim/Prosecutrix alongwith her parents have appeared through Video Conferencing from District Legal Service Authority, Raipur.</p> <p>Mr. Dileep Chandrakar, Employee of DLSA, Raipur, who connected the victim/prosecutrix and her father &amp; mother namely Arun Sonkar &amp; Smt. Gyaneshwari Sonkar, respectively through Video Conferencing, would submit that victim/prosecutrix has brought her Adhaar Card, in which, her name is mentioned as Ku. Palak Sonkar, D/o Arun Sonkar. He is directed to get the photo-copy of the Adhaar Card and to provide the same to the Registry of this Court, so that the same will be attached with the file of this case.</p> <p>Victim/Prosecutrix and her parents submit that bail should not be granted to the applicants/juvenile and bail applications filed by them must be rejected.</p> <p>Detailed order passed separately so far as it relates to Criminal Revision No. 310/2021 and the same has been allowed.</p> <p>So far as it relates to Criminal Revision No. 347/2021, learned counsel for the State submits that it has been mentioned in the impugned order that according to the social status report, applicant juvenile is habitual to abscond from his house but social status report of applicant/juvenile is not with the case diary, therefore, he seeks time to call for the social status report of the applicant/juvenile.</p> <p>Looking the aforesaid submissions made by counsel for the State, Counsel for the State is directed to call for the social status report of the applicant/juvenile,</p> |

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|     | <p>also to produce the case diary on the next date of hearing.</p> <p>List this case (Criminal Revision No. 347/2021) in the next week.</p> <p>Sd/-</p> <p><b>(N.K. Chandravanshi)</b></p> <p>Judge</p> |
| D/- |                                                                                                                                                                                                         |