

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceeding through Video Conferencing****CRR No. 323 of 2021**

Juvenile In Conflict With Law Through Natural Guardian Father
Kunjbihari Sahu S/o Late Baiju Sahu Aged About 48 Years, R/o
Village Ranai, Police Station Patna, Tahsil Baikunthpur District
Koriya Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Of
Police Station Patna, District Koriya Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Anil Gulati, Advocate
For the State	:	Shri Dinesh Tiwari, Govt. Advocate

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**17/06/2021**

1. Challenge in this revision petition is to the order dated 03/05/2021 passed by the learned Additional Sessions Judge (F.T.C.) Baikunthpur, District Koriya (C.G.) in Criminal Appeal No. 20/2021, whereby the appeal preferred by the applicant-juvenile against the order of Juvenile Justice Board, Baikunthpur, District Koriya (C.G.) dated 01/04/2021 has been dismissed, whereby the applicant has been denied bail.
2. It is submitted by learned counsel for the applicant that applicant has been falsely implicated, on the basis of memorandum statement of other co-accused, it is a matter of theft of trolley only,

applicant is in observation home since 24/02/2021, he is a boy of poor family, his detention for more period will affect his mental status. Social status report does not mention anything, on the basis of which he be denied for bail. It is prayed that this revision petition may be allowed and relief may be granted to the applicant-jvenile.

3. Learned State counsel opposes the revision petition submitting that as per social status report of the applicant he has other criminal case also and has been convicted also. He further submits that applicant is not entitled for grant of bail.
4. I have heard learned counsel for the parties and perused the documents placed on record.
5. Considered on the submission made by the counsels for both sides.
6. Applicant-jvenile is in observation home since 24/02/2021. As per the social status report, he is a boy of poor family, he is interested in studies, although it has been stated in social status report that applicant has been convicted in two cases on his admission and he is associated with bad elements, but the report does not mention about any specific circumstances which may be a ground for dismissal of bail to a juvenile under proviso to Section 12(1) of the Juvenile Justice (Care and Protection of Children) Act, 2015. Hence, looking to the totality of the case I feel inclined to allow this revision petition.
7. Consequently, the order dated 03/05/2021 passed by learned Additional Sessions Judge (F.T.C.) Baikunthpur, District Koriya (C.G.) in Criminal Appeal No. 20/2021 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 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

Kamde