

HIGH COURT OF CHHATTISGARH, BILASPUR**CRR No. 586 of 2021**

- M – Juvenile S/o Chandrashekhar Aged About 17 Years Through His Legal Guardian Father Chandrashekhar S/o Late Sakalsai Aged About 50 Years, R/o Rajpur, Police Station Lailunga, District Raigarh, Chhattisgarh.

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Lailunga, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant
For Respondent /State

Mr. Ajeet Kumar Yadav, Advocate
Mr. Jitendra Shukla, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya**Order On Board****25/10/2021**

- 1) Heard.
- 2) The present revision petition under Section 102 of the Juvenile Justice (Care and Protection of Children) Act has been preferred against the judgment dated 19.8.2021 passed by the Additional Sessions Judge (FTC), Raigarh in Criminal Appeal No. 51/2021,

upholding the order dated 4.8.2021 passed by the Juvenile Justice Board, Raigarh rejecting the bail application of the petitioner in connection with Crime No. 184/2021 registered at Police Station Lailunga, District Raigarh for the offence punishable under Sections 302, 201 of the IPC.

- 3) Case of the prosecution, in brief, is that the petitioner and the prosecutrix were having a love affair. On 7.7.2021 at about 5:00 p.m., the petitioner took the prosecutrix along with him on a motorcycle to the house of one Santosh Painkra, where marriage ceremony was going on. Thereafter, on 8.7.2021, the dead body of the prosecutrix was found near the field of Kondasiya Road. There were nail and strangulation marks present on the neck of the prosecutrix and her head was crushed with a stone. It is alleged that the prosecutrix was having an affair with some other boy and when this came into the knowledge of the petitioner, in the night, he took her along with him on the pretext that her father is not well and thereafter, murdered her.
- 4) Learned counsel for the petitioner submits that the Courts below were not justified in rejecting the bail application of the juvenile (petitioner). The petitioner is an innocent boy, aged about 17 years and has been falsely implicated in the present case. He submits that the conclusion of the trial may take sometime, therefore, he may be released on bail.
- 5) On the other hand learned State counsel opposes the revision

petition.

- 6) Considering the facts and circumstances of the case, the provisions of Section 12 of the Juvenile Justice (Care and Protection of Children) Act, looking to the allegations levelled against the petitioner and contents of the 'social status report', wherein it has been mentioned that 'at present the petitioner is a school drop out, his parents are living separately and his release is likely to bring him into association with any known criminal or expose him to moral, physical or psychological danger or his release would defeat the ends of justice', and further the evidence so far recorded before the trial Court cannot be appreciated at this stage by this Court, this Court finds no illegality or perversity in the impugned judgment rejecting the bail application of the petitioner. Accordingly, the revision is dismissed.

Sd/-

(Gautam Chourdiya)
Judge