
(2021) 06 CHH CK 0056
In the Chhattisgarh High Court
Case No : Criminal Revision No. 327 Of 2021

Juvenile In Conflict With Law

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 23-06-2021

Acts Referred:

Citation : (2021) 06 CHH CK 0056

Hon'ble Judges : N.K. Chandravanshi, J

Bench : Single Bench

Advocate : Anil Gulati, Raghvendra Verma

Final Decision : Allowed

Judgement

1. Challenge in this revision petition is to the order dated 3-5- 2021 passed by learned Addl. Sessions Judge (FTC), Baikunthpur Distt. Koriya, CG in

Criminal Appeal No. 24/2021 whereby the appeal preferred by the applicant-juvenile against the order of the Juvenile Justice Board, Baikunthpur

dated 1-4-2021 passed in Criminal Case No. 59/2021 has been dismissed, wherein the applicant was denied bail.

2. It is submitted by learned counsel for the applicant that the applicant is a 16½ years old boy, he is innocent and falsely implicated in this case. He

has not committed any misconduct during custody in the Observation Home. Charge sheet has been filed. The applicant has been implicated in the

offence only on the basis of memorandum statement of other co-accused person. He is in observation home since 24-2-2021. The impugned orders of

both the Courts below are erroneous and not sustainable. It is prayed that the revision petition may be allowed and bail may be granted to the

applicant.

3. Learned State Counsel opposes the revision petition and submits that both the Courts below have not committed any error in passing the impugned orders, thus, the revision may be rejected.

4. I have heard learned counsel for both the parties, perused the documents placed on record and considered the submissions made by counsel for both the parties.

5. Though it has been mentioned in the Social Investigation Report that other cases have been registered against the applicant- juvenile and he is associated with bad elements but this is a case of theft of trolley of tractor and the applicant-juvenile is in custody since 24-2-2020, therefore, looking to the nature and gravity of the offence and totality of the case, I am inclined to allow this revision petition.

6. Consequently, the revision is allowed. The order dated 3-5- 2021 passed by learned Additional Sessions Judge (FTC), Baikunthpur in Cr. A. No.

24/2021 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, 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.

7. Certified copy as per rules.