

Munnawar Silawat Vs. State

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Court : Rajasthan Jodhpur

Decided On : Nov-19-2012

Appellant : Munnawar Silawat

Respondent : State

Judgement :

1 IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR
ORDER Munnawar Silawat vs. The State of Raj. S.B. Criminal Revision Petition
No. 834/2012 under Section 53 read with Section 12/54 Juvenile Justice(Care and
Protection of Children) Act read with Section 397/401,Cr.P.C. against the orders
dated 19.9.2012 passed by learned Sessions Judge, Bhilwara in Criminal Appeal
No. 158/2012. Date of Order :

19. 11.2012 PRESENT HON'BLE MRS. NISHA GUPTA, J.

Mr. N.K. Rastogi, for the petitioner. Mr. O.P. Singaria , Public Prosecutor for the
State. BY THE COURT: This revision petition has been filed against the order
dated 19.9.2012 passed by learned Sessions Judge, Bhilwara whereby the bail
application of juvenile has been rejected affirming the order dated 15.9.2012
passed by the Chief Judicial Magistrate, Bhilwara in FIR No. 407/2012.. Heard
learned counsel for the petitioner and the learned Public Prosecutor for the State.

2 The contention of the present petitioner is that juvenile is in custody since long
and looking to the provisions of Section 12 of the Juvenile Justice(Care and
Protection of Children) Act, 2000, he should be released on bail. Per contra, the
contention of the learned Public Prosecutor is that this revision petition has been

moved by the brother of the juvenile who is not the natural guardian of juvenile and further more, one other case is also pending against the juvenile, meaning thereby that family is not having adequate control over the activities of the juvenile, hence the juvenile should not be released. Without going into the merit of the case and looking at the fact that brother is not natural guardian of the juvenile and other case is also pending against the present petitioner, no infirmity could be found in the orders of the courts below and this revision petition is liable to be dismissed. (NISHA GUPTA),J.

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