



2026:CGHC:9884

NAFR

## HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 212 of 2026

XYZ.

... Applicant.

versus

State Of Chhattisgarh Through The Incharge, Police Station,  
Lormi, District-Mungeli (C.G.).

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For Applicant : Mr. SS Barik, Advocate on behalf of Mr.  
Gautam Khetrapal, Advocate

For State/Respondent : Mr. Rishiraj Pithawa, Dy. GA.

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Hon'ble Shri Justice Arvind Kumar Verma

Order On Board

25/02/2026

1. Challenge in this petition is to the order dated 06.12.2025, passed in Criminal Appeal No.36/2025 (Annexure A-1), whereby the appeal preferred by the applicant/juvenile against the order of Principal Magistrate, Juvenile Justice

Board, Mungeli dated 19.11.2025 (Annexure A-2), has been dismissed, whereby the applicant has been denied bail.

2. Brief facts of this case are that complainant Sanjay Verma lodged report alleging therein that on 27.06.2025, his elder brother Dashrath Verma was missing and when he called his elder brother, he informed that he is in company of Ajju Thakur, Chintu & Pawan, but his elder brother did not return in right and on next day, he searched to his elder brother, but he could not be traced out. On the basis of said report, initially the offence under Section 140(1), 3(5) of the BN.S. was registered against unknown person; During course of investigation, dead body of Dashrath Verma was recovered and, thereafter, on the basis of memorandum of accused persons (Pawan Kumbhkar, Ajeet Thakur @ Ajju, Gautam Mahra @ Chintu, FIR was registered against the present applicant and he has been arrested for offence punishable under Sections 140(1), 103(1), 238, 61(2), 191(3), 190 of the BNS and Sections 25 & 27 of the Arms Act.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case, no offence has been committed by him. Learned Courts below have failed to appreciate the report of Probation Officer, in which, there is nothing to indicate that the release of applicant will

endanger to the society; the applicant is minor and suffering from asthma disease and earlier he was admitted in the hospital for treatment from custody. FIR was lodged against the unknown person and name of applicant is not mentioned in the FIR. Only on the basis of memorandum of accused persons, present applicant has been implicated in this case. Prosecution has not seized any incriminating article from the present applicant, which may involve him in connection of murder of deceased, applicant is in observation home since 29.06.2025, therefore, he may be enlarged on bail.

4. Learned State Counsel opposes the submission made by counsel for the applicant and would submit that looking to the nature of offence, applicant may not be released on bail.
5. Heard learned counsel for the parties.
6. Considering facts of this case, submission of learned counsel for the parties, particularly the fact that applicant is suffering from asthma disease and needs proper treatment, on the basis of memorandum of accused persons, present applicant has been implicated in this case, the probation officer has not made any adverse remarks against the applicant in social status report, further considering the detention period of applicant in observation home and provision of Section 12 of Juvenile Justice (Care &

Protection of Children) Act, 2015, I am inclined to allow the revision petition and release the applicant on bail.

7. Consequently, the revision is allowed. Impugned orders Annexure A-1 & Annexure A-2 are hereby set aside and it is directed that applicant shall be released on bail upon furnishing a personal bond by his natural guardian, in the sum of Rs.10,000/-, with one surety in the like sum to the satisfaction of Juvenile Justice Board concerned. The applicant shall appear before the Board concerned as and when directed.

Certified copy as per rules.

**Sd/-**  
**(Arvind Kumar Verma)**  
Judge

J.