



2026:CGHC:15013

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 272 of 2026

1 - Juvenile (In Conflict With Law) (Description Of Applicants and their Legal Guardian is in Closed Envelope).

2 - Juvenile (In Conflict With Law) (Description of Applicants and their Legal Guardian is in Closed Envelope)

... Applicants

versus

State of Chhattisgarh through - the Station House Officer, Police Of Police Station Sihawa, District Dhamtari (C.G.)

... Respondent

For Petitioners : Mr. Anil Gulati, Advocate

For Respondent(s) : Mr. Sumit Singh, Deputy Advocate General

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order on Board

01/04/2026

1. The present Revision under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 has been preferred against the impugned order dated 30.01.2026 passed by the Court of learned Additional Sessions Judge (FTC) Dhamtari in Criminal Appeal No.06/2026 upholding the order dated 22.01.2026 passed by the learned Principal Magistrate, Juvenile Justice Board, Dhamtari,

whereby the bail application of the applicants for grant of bail in Crime No. 77/2025 registered at P.S. Sihawa, District Dhamtari (C.G) for the offences punishable under section 65(2), 70(2) and 351(3) of IPC and Section 4 & 6 of the POCSO Act, was rejected.

2. As per the prosecution case, the complainant lodged a report that her minor daughter aged about 11 years and 09 months was gang raped by the present two juvenile applicants by having forcible physical relations with the victim girl during the period from April 2024 to September, 2025, due to which, the minor victim became pregnant. Later on, as per the law, the doctors performed abortion during treatment.
3. Learned counsel for the petitioners submits that Juvenile Petitioner No.1 'TKS' is aged about 15 years & 9 months and is a student of 9th Class; Petitioner No.2 'KKS' is aged about 13 years and 1 months and is a student of 9th Class. There is no likelihood of their release would bring him into association with any known criminal or expose him to moral, physical or psychological danger. Both the learned Courts have rejected the bail without considering the provisions of Section 12 of the Act, 2015. There are no criminal antecedents against both the juvenile applicants and the Social Investigation Report(s) is not against their release. There is no immediate possibility of disposal of the case, therefore, considering the above aspects, both the juvenile applicants may be released on bail.
4. On the other hand, learned counsel for the State opposes the prayer for grant of bail and submits that the applicants were involved in heinous crime. He further submits that the victim is a minor girl and because of victim being subjected to forcible physical relations by

these two juveniles for a considerable period, she became pregnant and later her pregnancy got aborted. Hence, looking to the nature of crime, at this stage, the applicants may not be released on bail.

5. The victim along with her mother appeared through VC from the concerned DLSA and objected to grant bail to the applicants.
6. I have heard learned counsel both the parties and perused the material available on record.
7. Both the Courts below have observed that the juvenile offenders do not appear to have family control over them and rejected their bail application.
8. Section 12 of the Act, 2015 makes it absolutely clear that a child alleged to be in conflict with law should be released on bail with or without surety or placed under the supervision of a probation officer or under the care of any fit person. The only embargo created is that in case the release of the child is likely to bring him into association with known criminals or expose the child to moral, physical or psychological danger or where the release of the child would defeat the ends of justice, then bail can be denied.
9. The Social Investigation Reports would reflect that both the juvenile applicants have no bad habits; their relations with family members are cordial and no criminal antecedents are reported either against the applicants or their family members. It further goes to show that the victim has consented to the act. In sum and substance, the said reports are not against the release of the juveniles.
10. Having considered the submissions of learned counsel for the parties and the overall facts and circumstances of the case as also looking to the comments made in Social Investigation Reports which are not against the release of the juvenile applicants and the fact that no

criminal antecedents are reported against them, I am of the opinion that there are no reasonable grounds to believe that release would expose the juveniles to moral, physical, or psychological danger, or bring them into association with "known or unknown criminals. Therefore, it is a fit case to release the applicants on bail.

11. Accordingly, the impugned orders dated 30.01.2026 and 22.01.2026 are set aside. The application under Section 12 of the Act of 2015 is allowed. The juvenile applicants shall be released on bail forthwith on each of them furnishing a personal bond in sum of Rs. 25,000/-, by the parents or guardians of the applicants, as the case may be, to the satisfaction of the Juvenile Justice Board for their appearance before the Board, as and when directed.
12. The revision is accordingly allowed.

Sd/-
(Sanjay Kumar Jaiswal)
Judge