



2026:CGHC:27941



CGHC010254362026



2026:CGHC:27941

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**CRR No. 834 of 2026**

A Nil

... Applicant(s)**versus**

State Of Chhattisgarh Through - S H O Police Station Purani Basti, District - Raipur, (C.G.)

... Non-applicant(s)

For Applicant	: Mr. Aman Tamrakar, Advocate.
For Non-applicant/State	: Mr. Jitendra Shrivastava, Govt. Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****07.07.2026**

1. This criminal revision is filed under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 against the order dated 19.05.2026 passed in Criminal Appeal No. 179//2026 by the learned Additional Session Judge (FTC), Raipur (C.G), whereby the appeal preferred by the present applicant has been dismissed.
2. As per the prosecution story, on 07.03.2026, upon receiving a credible information, the police party of Police Station Purani Basti, Raipur conducted a raid near Darri Talab, Chatutra Bhatagaon, where co-accused Narayan Sonkar was apprehended. During his personal search, 14 strips of Nox Nitrazepam Tablets IP (Nitrosun), containing a total of 140 tablets, were recovered from his conscious possession. As he failed to produce any valid licence or authority for possessing the



said narcotic substance, Crime No. 114/2026 was registered at Police Station Purani Basti, Raipur for the offence punishable under Sections 21(b) and 29 of the NDPS Act. During investigation, co-accused Narayan Sonkar, in his memorandum statement, disclosed that the present applicant had been supplying the aforesaid narcotic tablets to him for illegal sale. On the basis of the said disclosure, the police took applicant into custody and recorded his memorandum statement. During further investigation, it transpired that applicant was a juvenile on the date of the incident. Upon verification of his age-related documents, the said fact was duly confirmed. Consequently, his case was separated from that of the adult co-accused person and after his apprehension, he was produced before the Juvenile Justice Board, Raipur, from where he was sent to jail.

3. The applicant preferred an application under Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015, seeking his release on bail before the Juvenile Justice Board, Raipur, District- Raipur (C.G.), however, the said application was rejected by the Juvenile Justice Board vide order dated 05.05.2026. Being aggrieved by the order dated 05.05.2026, the applicant/juvenile filed an appeal before the appellate Court, which has also been dismissed vide impugned order dated 19.05.2026. Hence, this revision.
4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case and that he has not committed any offence as alleged. It is contended that the entire prosecution case against the present applicant rests solely upon the memorandum statement of co-accused Narayan Sonkar and that no independent material has been collected during investigation to establish any nexus between the applicant and the alleged offence. It is



further submitted that no contraband substance has been recovered from the conscious possession of the present applicant and that the alleged recovery of psychotropic tablets was effected only from the possession of co-accused Narayan Sonkar. Learned counsel submits that the bail application of the said co-accused was rejected by this Court in MCRC No. 5742/2026 vide order dated 30.06.2026 primarily on account of his criminal antecedents, whereas the present applicant has no criminal antecedents and this is the first case registered against him. It is further contended that the applicant is a juvenile and both the Courts below have mechanically relied upon the Social Investigation Report without properly appreciating the mandate of Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015, and without recording any specific finding that his release would bring him into association with any known criminal, expose him to moral, physical or psychological danger, or defeat the ends of justice. It is also submitted that the applicant has been in custody since 27.04.2026, the trial is likely to take considerable time to conclude and the quantity of the alleged contraband recovered from the possession of the co-accused is below commercial quantity. Therefore, it is prayed that the impugned orders be set aside and the applicant be enlarged on bail.

5. On the other hand, learned State counsel opposes the prayer for grant of bail and submits that the material collected during investigation clearly discloses the involvement of the present applicant in the commission of the offence. It is contended that the memorandum statement of co-accused Narayan Sonkar specifically reveals that the present applicant was supplying the psychotropic tablets to him for illegal sale and the said statement is duly corroborated by the investigation carried out thereafter. It is further submitted that the bail



application of co-accused Narayan Sonkar has already been rejected by this Court in MCRC No. 5742/2026 vide order dated 30.06.2026. Learned State counsel, while fairly conceding that no contraband has been recovered from the possession of the present applicant and that he has no criminal antecedents and submits that considering his alleged role as the supplier of the psychotropic substance and the seriousness and gravity of the offence, he does not deserve to be released on bail.

6. I have heard learned counsel for the parties and perused the records.
7. Upon perusal of the case diary and the material available on record, it appears that the alleged psychotropic tablets were recovered from the conscious possession of co-accused Narayan Sonkar, who is alleged to have been selling the same. The implication of the present applicant, who is admittedly a juvenile, is primarily founded upon the memorandum statement of the said co-accused alleging that the applicant had supplied the psychotropic tablets to him. Admittedly, no contraband has been recovered from the possession of the present applicant. It is also evident from the record that the bail application of co-accused Narayan Sonkar was rejected by this Court in MCRC No. 5742/2026 vide order dated 30.06.2026 on account of his criminal antecedents, whereas the present applicant has no criminal antecedents. The quantity of the alleged contraband recovered is below commercial quantity and the charge-sheet has already been filed before the competent Court. Considering the overall facts and circumstances of the case, the nature of allegations, the role attributed to the applicant, the absence of any recovery from his possession, the fact that his implication is primarily based on the memorandum statement of the co-accused, his status as a juvenile, the absence of any criminal antecedents and the beneficial object underlying Section 12 of the Juvenile Justice (Care and



Protection of Children) Act, 2015, this Court is inclined to extend the benefit of bail to the applicant.

8. Consequently, the present criminal revision stands **allowed**. The impugned order dated 05.05.2026 passed by the learned Principal Magistrate, Juvenile Justice Board, Raipur in Crime No. 114/2026, whereby the bail application of the applicant was rejected and the order dated 19.05.2026 passed by the learned Additional Sessions Judge (F.T.C.) Raipur, District -Raipur, affirming the said order, are hereby set aside. It is directed that on furnishing a surety of Rs. 50,000/-along with a bond of same amount which are to be of his natural guardian/father/mother, to the satisfaction of the concerned Juvenile Justice Board, for his appearance as when directed, the applicant shall be given in custody of his natural guardian/father/mother.

**Sd/-
(Ramesh Sinha)
Chief Justice**

Kunal