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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 6 of 2026**

A (Juvenile) Nill

... Applicant**versus**

State of Chhattisgarh Through District Magistrate, Basna, District :
Mahasamund, Chhattisgarh

... Respondent

For Applicant	:	Mr. Virendra Kashyap, Advocate.
For Respondent/State	:	Ms. Laxmeen Kashyap, P.L.

Hon'ble Shri Justice Sanjay Kumar Jaiswal**Order on Board****22/01/2026**

1. The present Revision petition under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (for short "the Act, 2015") has been preferred against the impugned judgment dated 29.11.2025 passed by the learned Children Court/Additional Sessions Judge (Fast



Track Court) Mahasamund, C.G. in Criminal Appeal No. H 94/2025, upholding the order dated 19.11.2025 passed by the Principal Magistrate, Juvenile Justice Board, District – Mahasamund (C.G.) rejecting the bail application of the applicant in connection with Crime No. 340/2025 registered at Police Station Basna for offence punishable under Sections 296, 115(2), 309(2), 112, 3(5) of BNS.

2. The prosecution case, in brief, is that on 30.08.2025, the complainant Banwari Lal was returning on foot to the house of his elder brother. When he reached near Laxmi Kirana Store at Nayakpara, Basna, the applicant along with other major co-accused persons, after alighting from a Pulsar motorcycle, started hurling abuses at the complainant and assaulted him by fists and blows. Accused Raja Sonwani caught hold of the complainant by his collar and threatened him by stating that unless he handed over whatever he possessed, he would be killed. Being put in fear, accused Suraj Yadav forcibly took away the complainant's mobile phone kept in the front pocket of his shirt, while accused Raja Sonwani forcibly took away a sum of ₹3,000/- kept in the left pocket of his pant, thereafter the accused persons fled from the spot. Based on above, offence has been registered against the applicant and he was arrested on 31.08.2025.



3. Learned counsel for the applicant submits that the applicant has no criminal antecedents, he is innocent and has been falsely implicated in the crime in question. The applicant is in the observation home since 30.08.2025. He further submits that there is no likelihood that his release would bring him into association with any known criminal or expose him to moral, physical or psychological danger. The learned Court below have in mechanical manner rejected the bail. Considering the provisions of the Act, 2015, the applicant may be released on bail.
4. On the other hand, learned counsel appearing for the State opposes the prayer for grant of bail and submits that there is named FIR against the applicant. A 500/- rs. note has also been seized from him. The applicant has one criminal history of same nature, therefore, he may not be released on bail. However, the State Counsel submits that the social status report is not against the applicant.
5. 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.

6. Be that as it may, a social status report was submitted by the concerned Probation Officer states the conduct of the applicant is not only good, but he is living in disciplinary manner and the child's education is interrupted, and there is a need to reconnect the child with education. Besides, it does not indicate anywhere in the said report that the release of the applicant on bail would bring him in association with any known criminal or expose him to moral, physical or psychological danger or would otherwise defeat the ends of justice. In view thereof, none of the grounds are thus available to reject the application filed under Section 12 of the Act, 2015. The Courts below have, therefore, committed an illegality in rejecting the application *de hors* the mandate of the Act, 2015.
7. Accordingly, the orders passed by the Additional Sessions Judge and the Juvenile Justice Board are set aside, and the Revision is **allowed**. It is directed that on furnishing a personal bond in the sum of **Rs.25,000/-** by the parents/guardian with one local surety in the like sum to the satisfaction of the concerned Court, for appearance of the applicant as and when directed, the applicant shall be given in custody of the said guardian. Along with the bail



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bond, copies of the Aadhar Card and coloured Post Card full size photo shall also be submitted by the applicant as well as by the surety, which shall be duly verified by the trial Court.

8. It is observed that the person stands as surety will furnish an undertaking that the applicant shall not come in contact with any bad element and in case, if he is found to be indulged in any unlawful act, the surety/father of the applicant shall inform to the concerned Police Station.

Sd/-
(Sanjay Kumar Jaiswal)
Judge