



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRL. REV. No.1125 of 2025

Bapi Digal

...

Petitioner

Mr. R. Pradhan, Advocate

-versus-

State of Orissa

...

Opposite Party

Mr. C.R. Swain, AGA

CORAM: JUSTICE V. NARASINGH

ORDER

27.02.2026

Order No.

- 03.** 1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. Assailing the order dated 19.11.2025 passed by the learned Additional Sessions Judge-cum-P.O., Children's Court, Baripada in Juvenile Crl. Appeal No. 15 of 2025, thereby confirming the order dated 14.10.2025 passed by the learned P.M.J.J.B, Mayurbhanj, Baripada in J.C Case No.75 of 2025 (Arising out of Jashipur PS Case No. 147 dated 11.05.2025 under Section 20(b)(ii) C of the N.D.P.S Act), rejecting the prayer for bail, the present CRLREV has been preferred.
3. Learned counsel for the Petitioner submits that ex facie the order passed indicates gross non-application of mind while rejecting the prayer for bail



of the Petitioner and both the Courts have failed to appreciate the special characteristics of Juvenile Justice (Care and Protection of Children) Act, 2015, and the admitted fact that the Petitioner is a JCC, such exercise of jurisdiction being perverse, the same merits interference by this Court in exercise of its revisional jurisdiction.

4. Learned counsel for the State on the other hand submits that the Petitioner along with the co-accused are found to be in possession of contraband to the tune of 79 Kg. 600 grams. In view of the bar contained under Section 37(1)(b)(ii) of NDPS Act, it is stated that there is no irregularity in the rejection of the prayer for bail and accordingly the Criminal Revision does not merit consideration.

5. Taking into account that the Petitioner is JCC, a Social Investigation report was called for and the same has been submitted and the salient features of the said report is stated as under:

"xxx xxx xxx

33. Attitude of the child towards friends:

Cordial and friendly

35. The CCL as well as the family have good relationship with the neighbours.

36. There is no negative influence of neighbours on the child.



39. There is no materials to indicate that the child is a part of any gangs or adults or group of adults or has been used for drug peddling.

49. The child is a simple nature and also a good boy in the family as perused. He has never been involved in such activities. As a student he always focuses on his studies. It is unfortunate for him; he has been charged such an offence."

Result of Inquiry

Recommendation regarding rehabilitation by Probation Officer/Child Welfare Officer:

The alleged child is a 1st time offender, and now in the Place of Safety Home, Rourkela, Sundargarh. He has set his sights on becoming a good person and also dreams become a government employee in his life. He may be involved in the alleged offence due to his misfortunate. The alleged child never been Involved any kind of anti-social activities before, which has reported during social Investigation. By considering the above social antecedents, the PMJJB may take decision in the best interest of the child.

xxx xxx xxx "



6. Considering the same, this Court directs that the Petitioner shall be released on bail in terms of Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 on such terms and conditions as deemed just and proper by the learned PM, JJB, Baripada (arising out of Jashipur PS Case No. 147 of 2025).

7. The orders passed by the learned Appellate Court as well as the learned Trial Court are hereby set aside.

8. Accordingly, the CRLREV stands disposed of.

(V. NARASINGH)
Judge

Soumya