

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Revision Petition No. 274/2026

Dileep S/o Hanumanram Jat, Aged About 17 Years, Resident Of Jasnagar, Police Station Jasnagar, Through His Natural Guardianfather Hanumanram, Son Of Deenaram, Resident Of Jato Ka Baas, Jasnagar, Tehsil Riyabadi, District Nagaur. (Presently Kept At Observation Home Juvenile Justice Board, Nagaur)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Ajay Singh Bhati
For Respondent(s)	:	Mr. Surendra Bishnoi, AGA Mr. JK Suthar

HON'BLE MR. JUSTICE FARJAND ALI

Order

23/02/2026

1. The juvenile 'D' son of Shri Hanumanram Jat has been confined in connection with FIR No.02/2026 registered at Police Station Kuchera, District Nagaur and for the offences under Sections 115(2), 127(2), 308(2), 303(2), 318(4) and 61(2)(a) of the BNS. He is lodged at the Child Observation Home, Nagaur. The bail application preferred under Section 12 of the Juvenile Justice Act, 2015 by the juvenile through *amicus curiae* was dismissed by the learned Juvenile Justice Board, Nagaur vide order dated 02.02.2026. An appeal was preferred under Section 101 of the Juvenile Justice Act, 2015 against the said order before the learned Session Judge, Merta which also came to be dismissed vide order dated 07.02.2026 and the order passed by the learned

Board was upheld. Aggrieved by the aforesaid two orders, the present revision petition has been filed under Section 102 of the Juvenile Justice Act read with Section 397/401 of the Cr.P.C.

2. Learned counsel for the juvenile-petitioner submits that the Juvenile Justice Board as well as the learned court below has grossly erred in rejecting the bail application of the juvenile-petitioner. They have failed to consider the correct factual and legal aspects of the case. The juvenile has been detained at the Child Observation Home, Nagaur since quite some time and looking at the pace at which the trial is proceeding, it will likely take long time to conclude. The Juvenile Justice Board has treated the accused as juvenile. He further submits that there is no possibility of the juvenile-petitioner absconding. There is nothing on record that may debar him from getting released on bail, therefore, it is humbly prayed that the impugned orders be set aside and the juvenile be released on bail.
3. Learned Public Prosecutor as well as learned counsel for the complainant vehemently opposes the prayer made by learned counsel for the juvenile-petitioner and submits that since the matter pertains to commission of a grave offence, the petitioner is not deserving of being released on bail.
4. Heard.
5. From the perusal of Section 12(1) of the Act of 2015, it is established legal position that a delinquent juvenile ordinarily has to be released on bail irrespective of nature of offence alleged to have been committed by him unless it is shown by evidence that if he is released on bail, there

appears reasonable grounds for believing that the release of the delinquent juvenile is likely to bring him into association with any known criminals or expose him to moral, physical or psychological danger or that his release would defeat the ends of justice. The nature of offence and the merits of the case do not have any relevance. It is for the prosecution to bring on record such material while opposing the bail and make out any of the grounds provided in the section, which may persuade the court not to release the juvenile on bail. But in this case, there is nothing on record to show that the release of the juvenile-petitioner is likely to bring him into association with any known criminal or expose him to moral, physical or psychological danger or that his release would defeat the ends of justice.

6. Upon consideration of the overall facts and circumstances, and considering the fact of juvenescence of the petitioner, this Court is of the opinion that the petitioner deserves to be released on bail. His entitlement to bail is further supported as the conditions of Section 12 of the Juvenile Justice Act are duly satisfied.
7. The observations made herein above shall not influence the trial judge in any manner whatsoever so as to adversely affect the rights of either of the parties.
8. Consequently, the instant revision is allowed. The impugned order dated 02.02.2026 passed by the learned Juvenile Justice Board, Nagaur and the impugned order dated 07.02.2026 passed by the Session Judge, Merta are set aside. It is ordered that the accused-petitioner 'D' S/o

Hanumanram arrested in connection with FIR No.02/2026 registered at Police Station Kuchera, District Nagaur shall be released on bail; provided his natural guardian furnishes a personal bond of Rs.50,000/- and two surety bonds of Rs.25,000/- each to the satisfaction of the learned court below with the stipulation that he will make his son appear before the Board on all dates of hearing and as and when called upon to do so and he will ensure that any situation which may bring the juvenile-petitioner into association with any known criminal or expose him to moral, physical or psychological danger or any situation where the juvenile-petitioner may repeat the offence in question is thwarted and he will work for improvement of the juvenile-petitioner.

(FARJAND ALI),J