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HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 817 of 2026

- XYZ (Child In Conflict With Law)

... Applicant

versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Charcha, District Koriya C.G.

... Respondent

For Applicant	:	Mr. Barun Kumar Mishra, Advocate.
For Respondent/State	:	Ms. Deepa Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order on Board

07/09/2026

1. The present Criminal Revision 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 order dated 13.05.2026 passed by learned Children Court/Additional Sessions Judge (F.T.C.) Baikunthpur, District Koriya (CG) in Criminal Appeal No.42/2026, upholding the order dated 22.04.2026 passed by the Juvenile Justice Board, Baikunthpur, District Koriya (CG) whereby the bail application of applicant ‘AY’ (For sake of convenience, the applicant is referred to as ‘AY’) in connection with Crime No. 70/2026 registered at Police Station Charcha, District Koriya (C.G.) for the offence punishable under Section 331(4) and 305(a) of BNS, 2023 has

been rejected.

2. Prosecution story in brief is that the juvenile in conflict with law is alleged to have been involved in several cases of theft and other offences. In the present case, Crime No. 70/2026 has been registered at Police Station Charcha in connection with the alleged theft of approximately 30 feet of copper cable, valued at about ₹18,600/-, from the Recti Fire Workshop situated within the SECL Charcha premises.
3. Learned counsel for the applicant submits that the impugned order dated 13.05.2026 is erroneous and contrary to the facts and material available on record. It is contended that there is no likelihood of the applicant influencing or tampering with the prosecution evidence or witnesses, and the report of the Probation Officer does not disclose any circumstance warranting his continued detention in the Observation Home. The applicant is a minor and has been in the Observation Home since 17.04.2026; therefore, his continued detention is likely to adversely affect his mental well-being. It is further submitted that the applicant is a permanent resident, there is no likelihood of absconding, and he is ready to furnish adequate surety and abide by any condition imposed by this Hon'ble Court. Accordingly, learned counsel prays that the impugned order be set aside and the applicant be released on bail.
4. On the other hand, learned State counsel opposes the application and submits that the applicant is involved in 7 criminal cases out of which, he has been acquitted in 4 cases. It is submitted that the applicant is allegedly continued to indulge in similar offences despite being granted bail earlier. It is further submitted that there is a likelihood of the applicant repeating the offence and influencing or intimidating the prosecution witnesses. The Social Investigation Report also does not support his release at this stage and recommends his continued stay in the Observation Home; thus, it is prayed that the instant revision may be rejected.

5. Heard learned counsel for the parties and perused the material available on record.
6. Section 12 of the Act, 2015 makes it absolutely clear that a child alleged to be in conflict with law should ordinarily 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 where the release of the child is likely to bring him into association with any known criminal, expose him to moral, physical or psychological danger, or where his release would otherwise defeat the ends of justice, bail may be denied.
7. Be that as it may, a Social Status Report was submitted by the concerned Probation Officer. The Social Investigation Report would recommend continued stay of the applicant in the Observation Home. Besides, the said report does not indicate anywhere that the release of the applicant on bail would bring him into association with any known criminal, expose him to moral, physical or psychological danger, or otherwise defeat the ends of justice. In view thereof, none of the grounds contemplated under Section 12 of the Act, 2015 is available for rejecting the application. The Trial Court as well as the Appellate Court have, therefore, committed an illegality in rejecting the application de hors the mandate of the Act, 2015.
8. Accordingly, the orders passed by the Additional Sessions Judge and the Juvenile Justice Board are hereby set aside, and the Revision is **allowed**. It is directed that, upon furnishing a personal bond in the sum of **Rs. 25,000/-** by the parent/guardian along with one local surety in the like amount, to the satisfaction of the concerned Court, for the appearance of the applicant as and when directed, the applicant shall be released into the custody of the said guardian. Along with the bail bond, copies of the Aadhaar Card and a coloured, postcard-size, full-size photograph shall also be submitted by the applicant as well as the surety, which shall be duly verified by

the Trial Court.

9. It is observed that the person standing as surety shall furnish an undertaking that the applicant shall not come into contact with any bad element and, in the event that the applicant is found to be indulging in any unlawful act, the surety/father of the applicant shall inform the concerned Police Station.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

Chandrakant