



CGHC010334412025

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**CRR No. 956 of 2026**

XYZ (child in conflict with law) through his natural Guardian (Father).

... Petitioner**versus**The State of Chhattisgarh through Station House Officer, P.S. Pachpedi,
District Bilaspur Chhattisgarh**... Respondent**

For Petitioner	: Mr. Akhtar Hussain, Advocate
For the State	: Mr. Rohitashwa Singh, Dy.G.A.

Hon'ble Shri Justice Sanjay Kumar Jaiswal**Order on Board****05/08/2026**

1. This is a second revision filed by the juvenile applicant under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 challenging the impugned order dated 24.06.2026 passed by the Court of learned Additional Sessions Judge (FTC) Bilaspur (C.G.) in Cr.A No. 150/2026 upholding the order dated 02.05.2026 passed by the Juvenile Justice Board, Bilaspur (C.G.) whereby the bail application of the applicant relating to Crime No 363/2025 registered at Police Station Pachpedi, District Bilaspur (CG) for the offence punishable under Sections 296, 115(2), 109, 3(5) of BNS & Sections 25 & 27 of the Arms Act has been rejected.

2. (i) As per the prosecution case, complainant Rajeshwar Kurre lodged a complaint alleging that on 26.11.2025, at about 8:00 PM, he was at the house of accused Kamal Kumar Mahilange. On the issue of liquor, accused Kamal Mahilange, his sons Rakesh Kumar Mahilange and Jayash Kumar Mahilange as also the juvenile applicant all the four abused the complainant with filthy language citing his mother and sister. Accused Kamal Mahilange attacked the complainant with a wooden stick, on which, complainant ran away and reached Rahas Chowk. Then all the four accused chased him.
- (ii) At Rahas Chowk, the complainant's friends Rajendra Mahilange and Phulchand Mahilange were sitting and when they tried to intervene, all the four accused abused the complainant and his friends. Subsequently, the juvenile applicant and co-accused Rakesh Kumar Mahilange stabbed Rajendra Mahilange and Phoolchand Mahilange with knives, due to which, they fell on the ground and because of the assault, they sustained grievous injuries.
- (iii) Based on the complainant's report, initially Crime was registered u/s 296, 115(2), 109, 3(5) of BNS. During the investigation, knives were seized from the possession of juvenile applicant and co-accused Rakesh Kumar Mahilange. Therefore, subsequently sections 25 and 27 of the Arms Act were added.
3. Learned counsel for the applicant submits that co-accused Kamal Kumar Mahilange and Jayesh Kumar have been enlarged on bail by order passed by this Court on 16.03.2026 in MCRC No. 2116 of 2026 whereas this juvenile applicant is in custody since 27.11.2025 and the case of this juvenile applicant is also on similar footing. He further submits that the Social Report is in favour of the juvenile and further there is no likelihood that his release would bring into association with any known criminal or expose them to moral, physical or psychological danger. However, both the learned Courts have in mechanical manner rejected the bail without considering the provisions of Section 12 of the Juvenile Justice (Care and Protection of children) Act, 2015, therefore, the applicants may be released on bail.

4. On the other hand, learned counsel for the State opposes the prayer for grant of bail. He submits that the main allegation of stabbing two injured-victims and causing grievous injuries is against the juvenile applicant and another accused Rakaesh Mahilange and knives were recovered from them. According to the report, this juvenile applicant has criminal antecedents. He further submits that the case of the two other adult accused Kamal Kumar Mahilange and Jayesh Kumar who have been enlarged on bail is on different footing, therefore, the applicant may not be released on bail.
5. Having considered the submissions made by learned counsel for the parties and looking to the nature of allegations levelled against the applicant and the alleged seizure made from him as also the fact that no changing circumstances are shown to have taken place after rejecting the first revision, I am not inclined to release the applicant on bail. Accordingly, this second revision also stands **rejected**.
6. However, looking to the long custody of the applicant, the Juvenile Justice Board is directed to conclude the inquiry as early possible preferably within a period of 5 months from the date of receipt of the copy of this order.

Sd/-

(Sanjay Kumar Jaiswal)
Judge

Rao