



CGHC010384712026

2026:CGHC:43823

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 1326 of 2026****1 - ABC (Details Are Kept In Closed Envelope)****... Applicant****versus****1 - State Of Chhattisgarh Through Police Station Tamnar,
District - Raigarh (C.G.)****... Respondent**

For Applicant	:	Mr. Rajendra Patel, Advocate
For Respondent/	:	Mr. Rohitashva Singh, Dy. G.A. with
State	:	Mr. Suresh Tandon, P.L.

Hon'ble Shri Justice Sanjay Kumar Jaiswal
Order on Board**09/10/2026**

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 14.08.2026 passed by learned Juvenile Court/Special Judge, FTSC (POCSO) Gharghoda, District -Raigarh (CG) in Criminal Appeal No.18/2026,

upholding the order dated 09.07.2026 passed by the Juvenile Justice Board, Raigarh (CG) whereby the bail application of applicant in connection with Crime No. 180/2025 registered at Police Station Tamnar, District – Raigarh (C.G.) for the offence punishable under Sections 103(1), 238(a), 3(5), 109, 332(a) of BNS, 2023 has been rejected.

2. As per the prosecution case, the complainant, Suresh Kumar Minj, lodged a report stating that on 27.08.2025, while he was having dinner with Sujit Khalkho at his house, co-accused Suraj Dharwar, another juvenile co-accused, and the present applicant abused Sujit Khalkho in filthy language and threatened to kill him. When the complainant objected, co-accused Suraj Dharwar assaulted him with an axe, causing an injury to his head. Upon witnessing the incident, the complainant's wife, Madhuri Minj, and his mother, Budhni, intervened. Thereafter, the present applicant and the juvenile co-accused also abused Sujit Khalkho, threatened to kill him, and assaulted him with an axe, hands and fists, causing grievous injuries to his head, which ultimately resulted in his death.
3. Learned counsel for the applicant submits that the applicant has been kept in the Observation Home since 28.08.2025 and that, out of the 12 prosecution witnesses,

none has been examined till date. He further submits that the social status report does not contain any adverse material against the applicant. There is no likelihood of the applicant, if released, coming into association with any known criminal or being exposed to moral, physical or psychological danger. It is further contended that the learned Courts below have rejected the applicant's prayer for bail in a mechanical manner. Considering the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015, learned counsel prays that the applicant be released on bail.

4. Per contra, learned counsel for the State opposes the prayer for bail and submits that the applicant is the main accused in the crime in question and that he assaulted the deceased with an axe. It is further submitted that the weapon of offence, i.e., the axe, has been seized from the applicant. Referring to the social status report submitted by the Probation Officer, learned counsel points out that the applicant has discontinued his studies and requires regular counselling. Therefore, having regard to the nature and gravity of the offence and the material available on record, learned counsel for the State submits that the applicant does not deserve to be released on bail.
5. I have heard learned counsel for both the parties and

perused the material available on record.

6. Section 12 of the Juvenile Justice (Care and Protection of Children) Act (for short “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.
7. The bail application of the applicant was rejected by the Juvenile Justice Board as well as by the appellate Court on the ground that the delinquent child is accused of murder, having committed the crime in connivance with another child and a person. The social investigation report of the delinquent child also states that the influence of his age group was involved in the crime. It is also written that the delinquent child need proper counseling and guidance. The financial condition of the delinquent child’s family is also not prosperous. In such a situation, it is shown that if he is released on bail, he will come in contact with known criminals and may face moral and physical danger.
8. Considering the findings given by the Juvenile Justice

Board and the Appellate Court and also considering the report of the Probation Officer, the overall nature of the crime and the fact that the applicant was in the company of two co-accused, one of whom is a juvenile and the other an adult, which gives rise to the suspicion that the company of the juvenile has not been good. It is found that if the applicant is released on bail, it is likely to bring him in moral and psychological danger and the object of justice would be defeated.

9. The Juvenile Justice Act aims to balance the need for rehabilitation of juveniles with the need for justice, but in cases of extreme violence, the "ends of justice" provision in the law can be invoked to deny the bail as their release would lead to public outcry and a feeling that justice has not been served.
10. For the foregoing discussion, this Court does not find any infirmity in the impugned orders of appellate court as well as the Juvenile Justice Board warranting interference in the revision. Accordingly, the present revision is **dismissed**.
11. However, the Trial Court is directed to expedite the enquiry and to ensure that the enquiry is concluded as expeditiously as possible preferably within a period of 5 months from the date of receipt of copy of this order.

Sd/-
(Sanjay Kumar Jaiswal)
Judge