IN THE HIGH COURT OF JHARKHAND, RANCHI
Criminal Revision No. 978 of 2026

Dheeraj Hansda @ Dhiraj Hansda, aged about 16 years, son of Manoj Hansda, resident of Chaliytand, Tulbul, PO – Hardiyamo, PS – Gomia, District – Bokaro, Jharkhand, represented through his natural guardian and father namely Manoj Hansda @ Manoj Hasanda, aged about 35 years, son of Soharay Manjhi, resident of Chaliytand, Tulbul, PO – Hardiyamo, PS – Gomia, District – Bokaro, Jharkhand

.... Petitioner

-- Versus --

The State of Jharkhand **.... Opposite Party**

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner :- Mr. Lalit Yadav, Advocate

For the State :- Mr. Shailesh Kr. Sinha, Advocate

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*05/**05.10.2026*** Heard learned counsel appearing for the petitioner and learned counsel appearing for the State.

2. This criminal revision has been preferred against the order dated 17.06.2026 passed in Criminal Appeal No.149 of 2026 passed by learned Additional Sessions Judge-I-cum-Special Judge, Bokaro whereby he has been pleased to reject the bail of the petitioner and affirmed the order dated 22.05.2026 passed by learned Principal Magistrate, Juvenile Justice Board, Bokaro in connection with Penk Narayanpur P.S. Case No.09 of 2026 registered under Sections 69 and 3(5) of Bharatiya Nyaya Sanhita, 2023 and Sections 4 and 8 of

POCSO Act pending in the Court of learned Principal Magistrate, Juvenile Justice Board, Bokaro.

3. Learned counsel appearing for the petitioner submits that the petitioner is juvenile and was aged about 16 years at the time of alleged date of occurrence. He further submits that the alleged occurrence is said to be dated 15th February, 2026, however FIR has been lodged on 17th March, 2026. He then submits that the allegation is made that the petitioner and victim were found in the forest and the villagers have handed over them to Gram Pradhan. He next submits that the petitioner is having no criminal antecedent. He also submits that the petitioner is a student and has passed annual secondary examination in first division from Jharkhand Academic Council and to buttress this argument he refers to Annexure-2 which is marksheet. He next submits that the petitioner is being represented through natural guardian/father and father is ready to give undertaking to keep the petitioner in good behaviour and character in future and will prevent him from associating with any known criminal and from exposing him to moral, physical and psychological danger and he is ready to swear an affidavit in this regard. He next submits that the petitioner is a meritorious student and he is in remand home since 9th May, 2026. He next submits that both the learned Courts only on the apprehension that the petitioner will come in association with

criminals they have been pleased to reject the bail of the petitioner.

4. Learned counsel appearing for the State opposes the prayer and submits that the learned Courts have rightly given the reason that the petitioner will come into contact with the criminals.

5. The alleged date of occurrence is said to be dated 15th February, 2026 wherein the FIR has been lodged on 17th March, 2026 and the villagers have handed over the petitioner and victim to Gram Pradhan. Annexure-2 suggests that the petitioner is a meritorious student and has passed annual secondary examination in first division from Jharkhand Academic Council.

6. In light of Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015, it is crystal clear that bail to the juvenile is a rule and refusal of the same is an exception and juvenile can be denied bail only on the following three grounds :

> ***(i)*** *if there appear reasonable grounds for believing that the release is likely to bring that person into association with any known criminal, or*
> ***(ii)*** *expose the said person to moral, physical or psychological danger, or*
> ***(iii)*** *the person's release would defeat the ends of justice.*

7. The petitioner is being represented by the natural guardian, who is father and he is ready to give an undertaking to keep the petitioner away in association with dreaded criminals and not allow him to come to moral, physical or psychological danger if the petitioner will release on bail.

8. Learned Courts have been pleased to reject the bail only on the ground that the petitioner will come into contact with dreaded criminals and further the learned Courts have failed to give reasoning of three contingencies for declining the bail of the revisionist.

9. In light of Section 12 of the said Act, it also transpires that seriousness of the alleged offence of the juvenile cannot be sole ground of rejecting the bail and he is also entitled for bail under Section 12 of the said Act, as such the order dated 17.06.2026 passed in Criminal Appeal No.149 of 2026 passed by learned Additional Sessions Judge-I-cum-Special Judge, Bokaro and the order dated 22.05.2026 passed by learned Principal Magistrate, Juvenile Justice Board, Bokaro in connection with Penk Narayanpur P.S. Case No.09 of 2026 are hereby set aside.

10. Let the revisionist who is in observation home since 09.05.2026 be released on bail via assurance and surety given by his natural guardian/father, in connection with Penk Narayanpur P.S. Case No.09 of 2026 registered under Sections 69 and 3(5) of Bharatiya Nyaya Sanhita, 2023 and Sections 4 and 8 of POCSO Act pending in the Court of learned Principal Magistrate, Juvenile Justice Board, Bokaro after furnishing a personal bond on his father (Manoj Hansda @ Manoj Hasanda) with two sureties of his relatives each in the like amount to the satisfaction of learned Principal Magistrate,

Juvenile Justice Board, Bokaro, subject to the following conditions:

> ***(i)*** *Natural guardian/father will furnish an undertaking that upon release on bail the revisionist will not be permitted to go into contact or association with any known criminal or allowed to be exposed to any moral, physical, or psychological danger and further that the father will ensure that the juvenile will not repeat the offence.*
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> ***(ii)*** *Natural guardian/father will further furnish an undertaking to the effect that the juvenile will pursue his study at the appropriate level which he would be encouraged to do besides other constructive activities and not be allowed to waste his time in unproductive and excessive recreational pursuits.*
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> ***(iii)*** *Juvenile and natural guardian/father will report to the Probation Officer on the first Monday of every calendar month commencing with the first Monday of November, 2026, and if during any calendar month the first Monday falls on a holiday, then on the following working day.*
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> ***(iv)*** *The Probation Officer will keep a strict vigil on the activities of the juvenile and regularly draw up his social investigation report that would be submitted to the Principal Magistrate, Juvenile Justice Board, Bokaro, on such a periodical basis as the Juvenile Justice Board may determine.*

11. This criminal revision petition is allowed and disposed of.

(Sanjay Kumar Dwivedi, J.)

Dated 05.10.2026
Sangam/