**IN THE HIGH COURT OF JHARKHAND AT RANCHI**
**Cr. Rev. No. 1064 of 2026**

Deepak Yadav @ Deepak Kumar, aged about 17 years, Son of Kamal Yadav, represented through his mother namely Sarita Devi who is the legal guardian, Resident of Village- Mandai Kala, P.O. & P.S.-Lohsinghna, District-Hazaribag.

..... … Petitioner

Versus

The State of Jharkhand

..... … Opposite Party

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**CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI**

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For the Petitioner : Mr. Lalan Kumar Singh, Advocate.
For the State : Mr. Manoj Kumar Mishra, A.P.P.

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**03/ 05.11.2026** Learned A.P.P. appearing for the State submits that the counter affidavit is ready, however, the same has not been filed before the Registry, as the matter was listed on the Board.

2. In view of his such submission, let the counter affidavit be taken on record.

3. Heard learned counsel appearing for the petitioner and learned A.P.P. for the State.

4. This criminal revision has been preferred for setting aside judgment dated 22.06.2026 passed by the learned Additional Sessions Judge-I-cum-Children's Court, Hazaribag, in Criminal Appeal (Juvenile) No. 91 of 2026 whereby the appeal preferred by the petitioner has been dismissed by way of affirming the order of the learned Juvenile Justice Board, Hazaribag and also for quashing of order dated 08.04.2026, passed by the learned Principal Magistrate, Juvenile Justice Board, Hazaribag, in connection with Lohsinghna P.S. Case No. 01 of 2026, registered for the offence under Sections 191(2), 191(3), 126(2), 115(2), 117(2), 118(2), 324(4), 324(6), 109(1) and

103(1) of Bharatiya Nyaya Sanhita, 2023, pending in the Court of learned Principal Magistrate, Juvenile Justice Board, Hazaribag.

5. Learned counsel appearing for the petitioner submits that the petitioner is a juvenile and he was aged about 17 years at the time of alleged occurrence. He next submits that the allegation of making assault is there against Bhola Gope, Roshan Yadav and Rahul Yadav and so far allegation against this petitioner is concerned, the petitioner was only holding the deceased. He further submits that the other co-accused, who is also a juvenile has already been granted bail by this court in Cr. Rev. No. 900 of 2026 by the order dated 06.10.2026. He then submits that the social investigation report was called by the last order and the same has been received, from which, it transpires that there is nothing adverse against the petitioner in that report. He submits that the petitioner is in remand home since 12.01.2026. He also submits that the petitioner is being represented by his mother and his mother is ready to give any undertaking and she will take care of the child and she will not allow him to accompany any known criminal and she will not allow him to expose him to moral, physical or psychological danger and she is also ready to swear an affidavit in this regard. He next submits that the petitioner is a student of Class-X. On these grounds, he submits that regular bail may kindly be granted to the petitioner.

6. Learned A.P.P. appearing for the State has opposed the prayer and submits that the petitioner was accomplice of other persons and the death of one person has occurred and two persons have received injury and, on these grounds, he submits that the bail to the petitioner may not be granted.

7. Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015, deals with bail to juveniles. On perusal of Section

12 of the J.J. Act, 2015, it is crystal clear that the juvenile can be denied bail only on the following three grounds (i) if there appears 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.

8. The petitioner was aged about 17 years at the time of alleged occurrence and he is in remand home since 12.01.2026 and further his mother is representing this petitioner and mother is ready to take care of the petitioner and she will not allow him to accompany any known criminal and she will not allow him to expose him to moral, physical or psychological danger and she is also ready to swear an affidavit in this regard. Further the other co-accused, who is also a juvenile has already been granted bail by this court in Cr. Rev. No. 900 of 2026 by the order dated 06.10.2026.

9. On perusal of both the orders of learned court, it transpires that both the learned courts have rejected the prayer for bail of the petitioner only on the ground that there is apprehension that the petitioner will come into the contact with known criminals, however, the basis of coming to that conclusion is not clear from the orders of learned Courts. Further in the social investigation report, nothing adverse has come against the petitioner and in absence of any materials or evidences of reasonable grounds, it cannot be said that his release would defeat the ends of justice and the learned Courts have failed to give reasons on three contingencies for declining the bail to the revisionist. The findings recorded by learned Juvenile Justice Board and the learned appellate Court are based on unfounded apprehension of coming into the contact with the known criminals.

10. Thus, the judgment dated 22.06.2026 passed by the learned Additional Sessions Judge-I-cum-Children's Court, Hazaribag, in Criminal Appeal (Juvenile) No. 91 of 2026 and also the order dated 08.04.2026, passed by the learned Principal Magistrate, Juvenile Justice Board, Hazaribag, in connection with Lohsinghna P.S. Case No. 01 of 2026, are not sustainable in the eye of law and hence both these orders are set aside and the present criminal revision is allowed.

11. Let the revisionist, who is in observation home since 12.01.2026, be released on bail via assurance and surety given by his natural guardian / mother, in connection with Lohsinghna P.S. Case No. 01 of 2026, after furnishing personal bond of his mother (Sarita Devi) with two sureties of her relatives each in the like amount to the satisfaction of learned Principal Magistrate, Juvenile Justice Board, Hazaribag, subject to the following conditions:

(i) Natural guardian/mother 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 mother will ensure that the juvenile will not repeat the offence.

(ii) Natural guardian/mother 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.

(iii) Juvenile and natural guardian/mother will report to the Probation Officer on the first Monday of every calendar

month commencing with the first Monday of December, 2026, and if during any calendar month the first Monday falls on a holiday, then on the following working day.

(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 Juvenile Justice Board, Hazaribag, on such a periodical basis as the Juvenile Justice Board may determine.

12. With the above observation, this criminal revision is allowed and disposed of.

**(Sanjay Kumar Dwivedi, J.)**

**Dated:-05.11.2026**
***Amitesh/-***