CGHC010128442026 2026:CGHC:45903

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 461 of 2026

ABC

... Applicant

versus

State Of Chhattisgarh Through- P.S. Akalatara District- Janjgir-Champa (C.G.)

... Respondent

For Applicant	:	Mr. VK Pandey, Advocate.
For Respondent	:	Mr. DR Minj, Dy. Advocate General.

Hon'ble Shri Justice Naresh Kumar Chandravanshi, J

Order on Board

(29th October, 2026)

1. The present revision has been preferred under Section 102 of Juvenile Justice (Care and Protection of Children) Act, 2015 (in short 'the Act 2015') against the judgment dated 23.2.2026 passed in Criminal Appeal No. 19/2026 by the Upper Sessions Judge, FTSC (POCSO), Janjgir, whereby the learned appellate

Court has rejected the appeal arising out of order dated 29.1.2026 passed in Crime No.536/2025 dismissing the bail application of the present applicant by the Juvenile Justice Board, Janjgir.

2. The prosecution story, in brief, is that 2-3 days prior to the date of incident, there was quarrel between Balmukund Soni (deceased) and adult accused persons Roshan and Sourabh Pathak over bursting of crackers. On the date of incident i.e. 20.10.2025 at around 11 pm, the adult accused persons along with the applicant/juvenile were bursting crackers and they also threw the crackers towards the house of Balmukund Soni, which was objected by Balmukund. Thereafter, the adult accused and applicant/juvenile forcibly entered the house of Balmukund and adult accused Roshan assaulted him with knife on his neck and abdomen repeatedly whereas the other co-accused and the applicant/juvenile had caught hold of the deceased. On account of such fatal assault, Balmukund died on the spot. FIR was lodged against the unknown persons and after investigation, charge sheet was filed against the applicant/juvenile and the adult accused persons before the respective Court/JJB for the offence under Sections 103(1), 331(8), 238, 61(2), 191(2) of BNS.

3. The applicant/juvenile was sent to Observation Home on 22.10.2025. He filed an application under Section 12 of the Act of

2015 for granting bail, which was dismissed by the Juvenile Justice Board vide order dated 29.1.2026. Against the said dismissal, an appeal was preferred, which was also dismissed by the impugned judgment dated 23.2.2026. Hence, this revision.

4. Learned counsel for the applicant submits that the applicant is in Observation Home since 22.10.2025 and the social status report is also in his favour. The applicant has no criminal antecedents at all. The applicant did not participate in the aforesaid crime. He further submits that five adult accused persons have been acquitted of all the charges by II Upper Sessions Judge, Janjgir, Distt. Janjgir-Champa vide judgment dated 27.10.2026 passed in Sessions Case No.32/2026 (arising from Crime No.536/2025 registered at Police Station – Akaltara, Distt. Janjgir-Champa), therefore, this revision may be allowed and the applicant be enlarged on bail.

5. On the other hand, learned counsel for the State opposes the revision and submits the applicant/juvenile also played an active role in commission of murder of the deceased, therefore, this revision is liable to be rejected. However, he submits that the social status report is in favour of the applicant.

6. I have heard learned counsel both the parties and perused the material available on record including the social status report.

7. Having considering the fact that the applicant/juvenile is in Observation Home since 22.10.2025, the fact that for the first

time the applicant is in conflict with law; his conduct and behaviour are reported to be good; and that the adult accused persons have been acquitted of all the charges by II Upper Sessions Judge, Janjgir, Distt. Janjgir-Champa vide judgment dated 27.10.2026 passed in Sessions Case No.32/2026, and the fact that nothing has been brought to the notice of the Court by the prosecution that release of the applicant on bail would likely to bring him in association with any known criminal or expose him to moral, physical or psychological danger, the revision is allowed. The impugned judgment dated 23.2.2026 is hereby set aside. The application under Section 12 of the Act of 2015 is allowed.

8. The applicant/juvenile shall be released on bail forthwith on furnishing a personal bond in the sum of Rs. 25,000/- by the parents or guardians of the applicant, as the case may be, with one surety of the like amount to the satisfaction of the concerned Juvenile Justice Board for his appearance before the Board, as and when directed.

Sd/
(Naresh Kumar Chandravanshi)
Judge

MOHD AKHTAR KHAN
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