



CGHC010226192026 2026:CGHC:46712

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 759 of 2026

1 - XYZ (Juvenile In Conflict With Law) Nill

... Applicant

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station Gunderdehi, District Balod (Chhattisgarh)

... Respondent

(Cause title, as taken from CIS)

For Applicant	**:**	Mr. Aman Pandey, Advocate
For Respondent/State	**:**	Mr. Sachchidanand Yadav, PL.

Hon'ble Mr. Justice Naresh Kumar Chandravanshi

Order on Board

04/11/2026

1. This criminal revision has been preferred by the applicant/juvenile under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (henceforth 'referred as 'JJ Act') challenging the judgment dated 09.04.2026 passed by the learned Additional Sessions Judge, F.T.S.C. (POCSO), Balod, District Balod (CG) in Criminal Appeal No.35/2026, whereby the appeal preferred by the applicant/juvenile has been rejected, upholding the order dated

18.03.2026 passed by the learned Principal Magistrate, Juvenile Justice Board, Balod, District Balod (CG) in Criminal Case No.14/2026, by which the bail application of the applicant/juvenile under Section 12 of the JJ Act was rejected.

2. The case of the prosecution, in brief, is that on 19.12.2025, when the minor victim was coming down from the roof of her house, the applicant went there, held her hand and forcibly took her into a room, where he sexually exploited her. Based on the aforesaid facts, an FIR No.355/2025 was registered at Police Station Gunderdehi, District Balod, against the applicant for the offences punishable under Section 65(1) of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS”) and Section 4 of the Protection of Children from Sexual Offences Act, 2012 (for short, “POCSO Act”). After investigation, a charge-sheet was filed against the applicant/juvenile before the Juvenile Justice Board, Balod, for the aforesaid offences.

3. The bail application filed by the applicant/juvenile under Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (for short, “JJ Act”) was rejected by the Juvenile Justice Board, Balod, vide order dated 18.03.2026. Thereafter, the appeal preferred by him was also rejected by the learned Additional Sessions Judge, F.T.S.C. (POCSO), Balod, District Balod, vide impugned judgment dated 09.04.2026. Hence, this criminal revision.

4. Learned counsel for the applicant/juvenile submits that, on account of previous enmity, the applicant has been falsely implicated in the instant case, as the medical evidence does not support the case of the prosecution. He further submits that the applicant/juvenile has been in

the Observation Home since 20.12.2025 and that there is nothing adverse against him in the social status report. Learned counsel further submits that keeping the applicant/juvenile in the Observation Home for a further period may adversely affect his conduct and behaviour. Hence, he prays that the orders passed by the learned Appellate Court as well as the learned Juvenile Justice Board be set aside and the applicant/juvenile be enlarged on bail.

5. Per contra, learned State counsel submits that the applicant sexually exploited the minor victim. He further submits that, in her deposition, the victim has stated that, on an earlier occasion also, the applicant had entered her bathroom and, when her mother objected to the same, the applicant assured her that he would not repeat such conduct. However, his conduct did not improve. Hence, he submits that the present revision may be rejected. However, he fairly submits that the social status report of the applicant/juvenile does not contain any adverse remarks against him.

6. The mother of the minor victim is also present through video conferencing from the District Legal Services Authority (DLSA), Balod. She has strongly opposed the criminal revision filed by the applicant/juvenile.

7. Heard learned counsel for the parties and perused the material available on record particularly the social status report.

8. As per the social status report, the applicant/juvenile has been in the Observation Home since 20.12.2025. He has no criminal antecedents apart from the instant offence. His conduct and behaviour in the Observation Home have also been reported to be good. Considering

the aforesaid facts, particularly the fact that his continued stay in the Observation Home for a further period may adversely affect his childhood, coupled with the other circumstances of the case, this Court is inclined to allow the present revision.

9. Accordingly, the present criminal revision is **allowed**. The impugned judgment dated 09.04.2026 passed by the learned Additional Sessions Judge, F.T.S.C. (POCSO), Balod, District Balod, as well as the order dated 18.03.2026 passed by the learned Principal Magistrate, Juvenile Justice Board, Balod, are hereby set aside.

10. It is directed that, if the father or mother of the applicant/juvenile furnishes their own bail bond of Rs.25,000/- along with one surety in the like amount to the satisfaction of the Juvenile Justice Board, Balod for appearance of the applicant/juvenile before it, as and when directed by it, the applicant/juvenile shall be released into the custody of his parents, subject to the following conditions:

(a) The applicant/juvenile and his parents shall not act in any manner which will be prejudicial to a fair, smooth, and expeditious inquiry/trial.

(b) The parents/guardian shall ensure that the applicant/juvenile appears before the Juvenile Justice Board, Balod, on each and every date fixed for the inquiry till its final disposal, unless specifically exempted.

(c) The parents/guardian of the applicant/juvenile and the surety shall submit self-attested copies of their Aadhaar Cards along with full-size colored postcard photographs bearing their printed Aadhaar numbers, which shall be duly verified by the Juvenile Justice Board before executing the release warrant.

(d) The parents shall keep the applicant/juvenile under strict supervision to ensure that he does

not involve himself in any offence of a similar or any other nature in the future, and is kept away from any undesirable or criminal elements.

Sd/-
(Naresh Kumar Chandravanshi)
Judge

Rukhsar