



CGHC010236382026 2026:CGHC:43723

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 760 of 2026

A B C (Details are Kept In Closed Envelop)

... Petitioner

(In custody at Observation Home)

versus

State Of Chhattisgarh Through Police Station Kapu, District- Raigarh (C.G.)

... Respondent

For Petitioner	**:**	Mr. Rajendra Patel, Advocate
For Respondent/State	**:**	Mr. Vinod Tekam, Govt. Advocate.

Hon'ble Shri Justice Naresh Kumar Chandravanshi, J

Order on Board

(08th 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 order dated 19.5.2026 passed in Children Court Appeal No.14/2026 by the Children Court/Special

Judge, FTSC (POCSO), Gharghoda, Distt. Raigarh whereby the learned appellate Court has rejected the appeal arising out of order dated 22.4.2026 passed in Children Case No.59/2026 dismissing the bail application of the present petitioner by the Juvenile Justice Board, Raigarh.

2. The prosecution story, in brief, is that in the night of incident, the petitioner/juvenile called the minor victim twice as the adult accused wanted to meet her. When the victim approached him, the adult accused took her to his house and committed rape upon her. Based on the aforesaid fact, FIR was registered against the petitioner/juvenile and adult accused under Section 137(1) of BNS at Police Station – Kapu, Distt. Raigarh. After investigation, charge sheet was filed against the petitioner/juvenile and the adult accused for the offence under Sections 137(2), 70(2), 127(2) of BNS and Section 6 of Protection of Children from Sexual Offences Act. The case against the petitioner/juvenile is pending consideration before the Juvenile Justice Board, Raigarh.

3. The petitioner/juvenile was sent to Observation Home on 9.7.2025. 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 22.4.2026. Against the said dismissal, an appeal was preferred on his behalf, which was also dismissed by the impugned order dated 19.5.2026. Hence, this

revision.

4. Learned counsel for the petitioner submits that the allegation of rape is against the adult accused whereas the present petitioner is said to have only assisted the main accused. The petitioner is in Observation Home since 9.7.2025 and the social status report is also in his favour. The petitioner has no criminal antecedents at all. Hence he prays that this revision may be allowed and the petitioner be enlarged on bail.

5. On the other hand, learned counsel for the State submits that the petitioner has played an active role in commission of the said offence and facilitated the adult accused in committed rape upon the minor victim. Therefore, the revision is liable to be dismissed. However, he submits that the social status report is not negative in respect of the petitioner.

6. I have heard learned counsel for both the parties and perused the case diary.

7. Having considering the fact that the petitioner/juvenile is in Observation Home since 9.7.2025, he is for the first time in conflict with law; his conduct and behaviour are not reported negative; nothing has been brought to the notice of the Court by the prosecution that release of the petitioner on bail would likely to bring him in association with any known criminal or expose him to moral, physical or psychological danger, this Court is inclined to allow this revision. Accordingly, the revision is

allowed. The impugned judgment dated 19.5.2026 is hereby set aside. The application under Section 12 of the Act of 2015 is allowed.

8. The petitioner/juvenile shall be released on bail forthwith on furnishing a personal bond in the sum of Rs.25,000/- by the mother of the petitioner 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

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