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HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 1017 of 2026

Xyz (Juvenile In Conflict With Law)

... Applicant.

versus

State Of Chhattisgarh Through Station House Officer, Police Station Hirri, District Bilaspur (C.G.)

... Respondent.

For Applicant	:	Mr. Rohishek Verma, Advocate.
For Res/State	:	Mr. Siddharth Sharma, Panel Lawyer.

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

06/10/2026

1. The present Criminal Revision has been preferred under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (for short, "**the Act, 2015**") against the impugned order dated 25.06.2026 passed by the learned Additional Sessions Judge (FTC) and Children Court, Bilaspur (C.G.) in Criminal Appeal No.178/2026, whereby the order dated 17.06.2026 passed by the learned Principal Magistrate, Juvenile Justice Board, Bilaspur (C.G.), rejecting the bail application of the applicant, has been affirmed. The applicant is a child in conflict with law in connection with Crime No.150/2025 registered at Police

Station Hirri, Bilaspur for the offences punishable under Sections 191(2), 191(3) and 103(1) of the BNS 2023.

2. The prosecution case, in brief, is that the applicant, a child in conflict with law, along with four other co-accused who are his family members, committed the murder of Fekuram using an iron rod (sabbal/axe) over a dispute regarding ancestral agricultural land. Consequently, an FIR was registered against the applicant, and he was apprehended on 09.06.2025 for the offences mentioned above. The bail application filed by the applicant before the Juvenile Justice Board was rejected, and the said order was subsequently affirmed by the Appellate Court.

3. Learned counsel appearing for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that as per the postmortem report, the deceased died on account of hemorrhagic shock resulting from the rupture of a major blood vessel. Although the prosecution alleges that the applicant assaulted the deceased with an iron rod, this allegation has not been corroborated by eyewitnesses PW-2 and PW-3 examined before the Juvenile Justice Board. These witnesses have not stated specifically as to how the applicant assaulted the deceased. Counsel further submits that the applicant has been lodged in the Observation Home since 09.06.2025. It is also submitted that a similarly situated co-accused has been granted regular bail by a coordinate bench of this Court in MCRC No. 8114/2025 vide order dated 03.11.2025. Both the courts below rejected the prayer for bail without properly considering the statutory

mandate under Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015. Learned counsel also submits that the applicant has no prior criminal antecedents and that his continued detention in the Observation Home is likely to adversely affect his overall welfare and psychological development. It is therefore prayed that the applicant be released on bail.

4. Per contra, learned counsel appearing for the State opposes the prayer for grant of bail and submits that the courts below committed no error in rejecting the application. He further submits that the weapon of offence, namely the iron rod, was seized from the possession of the applicant. Therefore, the applicant does not merit release on bail.

5. I have considered the rival submissions advanced by learned counsel for the parties and have perused the case diary as well as the Social Investigation Report.

6. In the present case, as per the Social Investigation Report, the applicant is a child in conflict with law who has been lodged in the Observation Home for nearly 14 months, and the report does not disclose any previous criminal record against him. The report further indicates that his conduct and behaviour in the Observation Home have been satisfactory. It is also relevant to note that a co-accused has already been enlarged on regular bail vide MCRC No. 8114/2025.

7. Having regard to the facts and circumstances of the case, further considering the age of the applicant, that the applicant is in observation home since 09.06.2025, the absence of any criminal antecedents, the Social Investigation Report, co-accused has been granted bail, and

particularly the mandate contained in Section 12 of the Act, 2015, this Court is of the considered view that there are no reasonable grounds at this stage to believe that the release of the applicant is likely to bring him into association with any known criminal, expose him to moral, physical or psychological danger, or that his release would otherwise defeat the ends of justice. Consequently, this Court is inclined to release the applicant on bail.

8. Accordingly, the bail application filed by the applicant is allowed and the impugned orders passed by the Juvenile Justice Board as well as the Appellate Court are hereby set aside.

9. It is directed that, if the mother or Mother of the applicant/child in conflict with law furnishes a personal bond in the sum of ₹25,000/- along with one surety in the like amount to the satisfaction of the concerned Juvenile Justice Board with an undertaking to produce the applicant before the Board as and when directed, the applicant shall be released from the Observation Home and placed in the custody of his parents.

10. The Mother/parents of the applicant shall ensure his proper care, protection, education and welfare and shall also ensure his appearance before the Juvenile Justice Board on each date fixed by it. The Juvenile Justice Board shall also ensure the welfare of the applicant and his continued participation in the proceedings.

Sd/-
(Naresh Kumar Chandravanshi)
Judge

Ajay