CGHC010364822026 2026:CGHC:45601

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No.1279 of 2026

1 - Juvenile (In Conflict With Law) (Description Of Applicant And His Legal Guardian Is Mentioned In Closed Envelope)

Applicant (s)

versus

1 - State Of Chhattisgarh Through SHO, Police Station Singhoda District Mahasamund Chhattisgarh

Respondent(s)

CRR No.1289 of 2026

1 - Juvenile (In Conflict With Law) (Description Of Applicant And His Legal Guardian Is Mentioned In Closed Envelope).

Applicant (s)

Versus

1 - State Of Chhattisgarh Through SHO, Police Station Singhoda District Mahasamund (C.G.)

Respondent(s)

For Applicant (s)	:	Mr. Divyansh Shukla, Advocate
For Respondent (s)	:	Mr. Ujjwal Choubey, PL

Hon'ble Mr. Justice Naresh Kumar Chandravanshi

Order on Board

28/10/2026

Digitally signed by R NIRALA

1. These criminal revisions have been preferred by the applicants/juveniles under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (henceforth ‘referred as ‘JJ Act’) challenging the order dated 22.08.2026 passed by the learned Children Court/Additional Session Judge (Fast Tract Court), Mahasamund (C.G.) in Criminal Appeal No.H-93/2026, whereby the appeal preferred by the applicants/juveniles has been rejected upholding the order dated 03.08.2026 passed by the learned Principal Magistrate, Juvenile Justice Board, Mahasamund (C.G.) in Crime No.70/2026, by which the bail application of the applicants/juveniles under Section 12 of the JJ Act was rejected.

2. The allegation against the applicants/juveniles is that the applicants/juveniles along with 3 other adult accused persons were transporting contraband substance ganja in scorpio vehicle and total 9 kg ganja was seized from joint possession of all 5 accused persons. Thereafter an FIR was lodged against the applicants and other co-accused persons at the Police Station Singhoda vide Crime No.70/2026 for the offence punishable under Section 20 (b) (ii) (B) of the NDPS Act. After investigation, charge sheet was filed against the applicants for the same offence before the JJB, Mahasamund, which is pending consideration.

3. The bail application filed by the applicants/juveniles under Section 12 of the JJ Act was rejected by the Juvenile Justice

Board, Mahasamund vide order dated 03.08.2026 and thereafter the appeal preferred by them has also been rejected vide impugned order dated 22.08.2026 (Annexure-A/1) by the learned Children Court/Additional Session Judge (Fast Tract Court), Mahasamund (C.G.). Hence this criminal revision.

4. Learned counsel for the applicants/juveniles would submit that the applicants are juvenile and they have been falsely implicated in the crime in question and this is the first conflict with law of the applicants/juveniles and social status report of one of the applicants/juveniles is not negative, whereas the report of another applicant/juvenile has not been received. He further submits that the applicants/juveniles were not aware about the transportation of ganja, rather they have been taken by the adult accused persons at the behest of roaming. He further submits that the applicants/juveniles are in observation home since 30.06.2026, charge sheet has already been filed and conclusion of trial may take long time, as such keeping applicants/juveniles for further period in the observation home may change their conduct and behavior, hence it is prayed that the orders passed by the learned Appellate Court as well as learned Juvenile Justice Board be set aside and the applicants/juveniles be enlarged on bail.

5. Per contra, learned State counsel opposes the bail applications of the applicants/juveniles, however he submits that this is the

first conflict with law of the applicants/juveniles and social status report of one of the applicants/juveniles is not negative, though it has been mentioned therein that he is in contact with persons having criminal background, whereas the social status report of another applicant/juvenile has not been received

6. Heard learned counsel for the parties and perused the material available on record including case diary as well as social status report.

7. As contended by learned State counsel, this is the first conflict with law of the applicants/juveniles and social status report of one of the applicants/juveniles, aged about 14 years, is not negative, whereas the report of another applicant/juvenile has not been received, the applicants/juveniles are in observation home since 30.06.2026 and nothing has been brought by the prosecution to hold that if the applicants/juveniles are released on bail, then their release will likely to bring them into association with any known criminal or expose the said person to moral, physical or psychological danger or their release would defeat the ends of justice.

8. Having considered the aforesaid aspects of the matter, particularly the duration of custody of applicants/juveniles in the observation home and for the fact that the charge sheet has already been filed, therefore, this Court is inclined to allow the instant revisions.

9. Accordingly, the impugned order dated 22.08.2026 passed by the learned Children Court/Additional Session Judge (Fast Tract Court), Mahasamund (C.G.) and the order dated 03.08.2026 passed by the learned Principal Magistrate, Juvenile Justice Board, Mahasamund (C.G.) are hereby set aside.

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

Sd/-

(Naresh Kumar Chandravanshi)
Judge

Nirala