CGHC010397532026 2026:CGHC:46533

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 1422 of 2026

1 - Xyz Detail Of The Applicant Is Enclose With Separate Envelop
... Applicant(s)

versus

1 - State Of Chhattisgarh Through - S.H.O., P.S. Lalpur, District Mungeli (C.G.) **... Non-Applicant**

For Applicant : Mr. Navneet Singh Gumber, Advocate
For State/Non-Applicant : Mr. Kanwaljeet Singh Saini, Dy. G.A.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

03.11.2026

1) This criminal revision has been preferred against the order dated 01.10.2026 passed in Criminal Appeal No. 52/2026 by the learned First Additional Session Judge / Juvenile's Court Mungeli (CG) dismissing the appeal filed by the applicant and upholding the order dated 16.09.2026 of the Principal Magistrate Juvenile Justice Board, Mungeli rejecting the bail application of the applicant filed under Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 in connection with offence under Sections 309(4), 331(6), 310 and 311 of BNS.

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2) As per the prosecution story, on 23.07.2026, a complaint was lodged by the complainant, Dharmin Sahu, at the concerned police station, alleging that on the intervening night of 22.08.2026-23.08.2026, at about 12:30 a.m., 3-4 unknown masked persons entered her house and committed dacoity by looting gold and silver ornaments and cash amounting to Rs. 8,000-9,000/- at knife point. On the basis of the said complaint, the police registered the aforesaid offence. During the course of investigation, the co-accused persons, along with the present applicant, were taken into custody. On the memorandum statement of the present applicant, one knife, one gold ornament and cash amounting to Rs. 1,000/- were recovered on 25.07.2026.

3) Learned counsel appearing for the applicant submits that the applicant was aged about 16 years at the time of the incident and has been kept in the Observation Home since 27.07.2026. He further submits that the social investigation report submitted by the Probation Officer does not contain any adverse remarks against the applicant. He would further submit that the allegations regarding commission of dacoity are primarily against the other co-accused persons and the applicant has been falsely implicated in the present case. The applicant has no criminal antecedents and the charge-sheet has already been filed. He, therefore, prays for allowing the criminal revision.

4) On the other hand, learned State Counsel opposes the arguments and submits that the present applicant was involved in the commission of the alleged offence along with the co-accused persons. He further submits that there appear to be reasonable

grounds to believe that the release of the applicant is likely to bring him into association with any known criminal or expose him to moral, physical or psychological danger. Therefore, he prays for rejection of the present criminal revision.

5) I have heard learned counsel for the parties and perused the record as well as the provisions of Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

6) In the present case, the applicant has been kept in the Observation Home since 25.07.2026 and was aged about 16 years at the time of the incident. It is alleged that the present applicant, along with the other co-accused persons, committed dacoity and, at the instance of the present applicant, one knife, one gold ornament and cash amounting to Rs. 1,000/- were recovered. However, at the same time, the social investigation report submitted by the Probation Officer does not contain any adverse remarks against the applicant. There appear to be no reasonable grounds to believe that the release of the applicant is likely to bring him into association with any known criminal or expose him to moral, physical or psychological danger.

7) Having considered the provisions contained in Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015, the facts and circumstances of the present case, coupled with the fact that the applicant has no criminal antecedents, I am inclined to allow this criminal revision. Consequently, the order dated 01.10.2026 passed in Criminal Appeal No. 52/2026 by the learned First Additional Sessions Judge/Juvenile Court, Mungeli, and the order

dated 16.09.2026 passed by the Principal Magistrate, Juvenile Justice Board, Mungeli, are hereby **set aside**.

8) Accordingly, the application for grant of bail to the applicant is allowed. It is directed that on furnishing of a personal bond in sum of Rs. 50,000/- by natural guardian of the applicant with one surety in the like sum to the satisfaction of the concerned Court, for appearance of the applicant as and when directed, the applicant shall be given in custody of his natural guardian/ father.

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Jyoti