IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Revision No. 1022 of 2026

Saphak Ansari @ Safat Ansari, aged about 15 years, son of Nursalim Ansari, resident of Village Jamanipaharpur, P.O. Godda, P.S. Godda (Muffasil), District Godda, State Jharkhand, represented through his father and natural guardian Nursalim Ansari, aged about 48 years, son of Abdul Karim Ansari, resident of Village Jamanipaharpur, P.O. Godda, P.S. Godda (Muffasil), District Godda, State Jharkhand .... Petitioner

Versus

The State of Jharkhand .... Opposite Party

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Rohan Mazumdar, Advocate
For the State : Ms. Sharda Kumari, A.P.P.,
A.C. to Mr. Pankaj Kumar, P.P.

02/08.10.2026 This criminal revision petition has been filed challenging the legality of the judgment dated 10.08.2026 passed by learned Additional Sessions Judge I-cum-Children Court, Godda in Criminal Appeal No.34 of 2026 whereby the appeal filed by the petitioner has been rejected and the order dated 16.07.2026 passed by the learned Principal Magistrate, Juvenile Justice Board, Godda in connection with Godda (Muffasil) P.S. Case No.84/2026 corresponding to Enquiry No.212 of 2026 was affirmed whereby the bail application of the petitioner has been rejected.

2. Mr. Rohan Mazumdar, learned counsel appearing for the petitioner submits that the petitioner was aged about 15 years at the time of alleged occurrence and the petitioner has been arrested and remanded in remand home on 20.06.2006 and since then he is behind the bar and in that way he has remained in custody near about four months. He submits that social investigation report has been considered by the learned courts wherein it has come that the petitioner is having no criminal antecedent. He next submits that false allegations are made of outraging the modesty of the sister of the informant, however, the informant has also come into the house later on. He further submits that the petitioner is being represented by his father and his father is ready to give undertaking to keep the petitioner in good behaviour and character in future and will prevent him from associating with any known criminal and from exposing him to moral, physical or psychological danger and

he is ready to swear an affidavit in this regard. He then submits that the petitioner is pursuing his study of Class VII. He also submits that the learned courts have been pleased to reject the bail application only the on ground of heinousness of the crime.

3. Learned counsel appearing for the State opposes the prayer and submits that the allegations are thereof outraging the modesty of sister of the informant and in view of that the learned courts have rightly passed the orders.

4. The petitioner is in remand home since 20.06.2006 and the allegations are made of outraging the modesty of sister of the informant, however, the informant has also come on spot later on.

5. Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 clearly suggests that bail to the juvenile is a rule and refusal of the same is an exception and juvenile can be denied bail only on the following three grounds (i) if there appears reasonable grounds for believing that the release is likely to bring that person into association with any known criminal, or (ii) expose the said person to moral, physical or psychological danger, or, (iii) the person's release would defeat the ends of justice. There is no classification, whatsoever, provided in Section 12 of the Act, 2015 with regard to grant of bail.

6. Section 12 of the Act is applicable to all juveniles in conflict with law without any discrimination of any nature. In the light of Section 12 of the Act seriousness of the alleged offence or the age of the juvenile are also no relevant consideration for denial of bail, however, the learned courts have been pleased to reject the bail of the petitioner on the ground of heinousness of the crime and further the judgments of the learned courts are lacking on three contingencies for declining the bail to the revisionist as aforesaid. The findings of the learned courts are based on heinousness of the crime.

7. Thus, the judgment dated 10.08.2026 passed by learned Additional Sessions Judge I-cum-Children Court, Godda in Criminal Appeal No.34 of 2026 order dated 16.07.2026 passed by the learned Principal Magistrate, Juvenile Justice Board, Godda in connection with Godda (Muffasil) P.S. Case No.84/2026 corresponding to Enquiry No.212 of 2026 are not sustainable in the eyes of law and hence both the orders are set aside and the present

criminal revision is allowed.

8. Let the revisionist, who is in observation home since 20.06.2006 be released on bail via assurance and surety given by his natural guardian/father, in Godda (Muffasil) P.S. Case No.84/2026 corresponding to Enquiry No.212 of 2026 after furnishing a personal bond on his father (Nursalim Ansari) with two sureties of his relatives each in the like amount to the satisfaction of Juvenile Justice Board, Godda, subject to the following conditions:

(i) Natural guardian/father will furnish an undertaking that upon release on bail the revisionist will not be permitted to go into contact or association with any known criminal or allowed to be exposed to any moral, physical, or psychological danger and further that the father will ensure that the juvenile will not repeat the offence.

(ii) Natural guardian/father will further furnish an undertaking to the effect that the juvenile will pursue his study at the appropriate level which he would be encouraged to do besides other constructive activities and not be allowed to waste his time in unproductive and excessive recreational pursuits.

(iii) Juvenile and natural guardian/father will report to the Probation Officer on the first Monday of every calendar month commencing with the first Monday of November, 2026, and if during any calendar month the first Monday falls on a holiday, then on the following working day.

(iv) The Probation Officer will keep a strict vigil on the activities of the juvenile and regularly draw up his social investigation report that would be submitted to the Juvenile Justice Board, Godda, on such a periodical basis as the Juvenile Justice Board may determine.

9. This criminal revision petition is allowed and disposed of in the above terms and conditions. Pending I.A, if any, stands disposed of.

(Sanjay Kumar Dwivedi, J.)

Dated 08.10.2026
Anit

Uploaded
11.10.2026