



2026:AHC-LKO:20325

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL REVISION No. - 184 of 2026

Juvenile Delinquent X Thru. His Guardian/Mother

.....Revisionist(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko. And 4
Others

.....Opposite
Party(s)

Counsel for Revisionist(s)	:	Shashi Saurabh Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 13

HON'BLE SAURABH LAVANIA, J.

1. Counter affidavit filed by the State and supplementary affidavit filed by the learned counsel for the revisionist are taken on record.

2. As per office report dated 18.03.2026, service of notice upon the opposite party no.2 is sufficient. Despite Service of notice, no one appeared on behalf of the opposite party no.2 to oppose the present bail revision. Considering the facts of the case particularly that the informant and victim have not supported the story of the prosecution, this Court proceeds to decide the present bail revision on merits.

3. Heard learned counsel for the revisionist, the learned AGA for the State of U.P. and perused the material placed on record.

4. This criminal revision under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (in short "Act of 2015") read with Section 430/442 BNSS has been filed against the judgment and order dated 05.01.2026, passed by the Additional Session Judge/Special Judge, POCSO Act, District- Ambedkar Nagar in Criminal Appeal No.89 of 2025 arising out of F.I.R No. 250/2025, under Sections 64(1), 352, 351(3) BNS and 3/4(1) of POCSO Act, P.S Khodare, District Gonda and the order dated 03.11.2025 passed by the Juvenile Justice Board, Gonda.

3. While pressing the instant bail revision, the learned counsel for the revisionist stated that revisionist is innocent and he has falsely been

implicated in the present case.

4. It is further stated that the revisionist, who was aged about 17 years on the date of the incident, is in judicial custody since 24.09.2025.

5. It is further stated that, according to the F.I.R. in Case Crime No.50/2025, under Sections 64(1), 352, 351(3) BNS and 3/4(1) of POCSO Act, P.S Khodare, District Gonda, it is the revisionist, who had enticed away the minor daughter of the complainant and established physical relations with her against her wishes.

6. It is further submitted that the prosecution story is false, which is evident from the statement(s) of the informant and victim recorded before the trial court as P.W.-1 and P.W.-2, respectively. Based upon these statement(s), it is stated that the main witnesses of fact have not supported the prosecution case and were declared hostile. During cross-examination done by the learned State Counsel, with the permission of the trial court, nothing incriminating could be elicited against the revisionist.

7. It is further stated that considering the aforesaid facts and also the period of incarceration w.e.f. 24.09.2025, the revisionist is entitled to be released on bail.

8. It is further stated that in these circumstances, the revisionist is entitled to be enlarged on bail and in case he is enlarged on bail, there is no apprehension that after being released on bail he may come with the contact of the known and unknown bet criminals or may be exposed to moral, physical or psychological danger.

9. Learned AGA, has opposed the bail revision, however, he could not dispute the above submissions of learned counsel for the revisionist.

10. Thus having regard to overall facts and circumstances of the case including the period of incarceration and the report of District Probation Officer and statement(s) of the informant (P.W-1) and victim (P.W.-2), I find force in the revision. Accordingly, the revision is **allowed**.

11. The impugned judgment and order dated 05.01.2026, passed by the Additional Session Judge/Special Judge, POCSO Act, District- Ambedkar

Nagar in Criminal Appeal No.89 of 2025 and the order dated 03.11.2025 passed by the Juvenile Justice Board, Gonda are hereby set aside.

12. Let **Juvenile 'X'**, of aforesaid Case Crime Number be enlarged on bail, in the above mentioned case on executing a personal bond by his mother/natural guardian with two reliable sureties in the like amount to the satisfaction of the Court/Board concerned and on submission of undertaking on affidavit by his mother that she will take due care of the juvenile, will not allow him to indulge in any unlawful or criminal activity or join the company of unlawful elements, will keep him under strict control, shall not attempt or tamper with the evidence or threaten the witnesses, shall not seek any adjournment on the date fixed for evidence, shall remain present before the trial Court on each date fixed either personally or through her counsel, failing which, the order of bail granted to Juvenile may be cancelled.

13. For a period of one year from today, the Juvenile shall appear before the District Probation Officer concerned along with his natural guardian on 10th of every month.

(Saurabh Lavania,J.)

March 19, 2026

Preeti