
A CRITICAL ANALYSIS OF GROUNDS FOR DISPOSAL OF BAIL APPLICATIONS IN THE JUVENILE JUSTICE SYSTEM OF INDIA

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ABSTRACT

Bail under the juvenile justice framework in India operates on a fundamentally different footing from bail in the ordinary criminal justice system. Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 adopts a statutory presumption in favour of release of a child in conflict with law, irrespective of whether the alleged offence is bailable or non-bailable. The legislative approach reflects the rehabilitative philosophy of juvenile justice, under which children are treated as persons requiring care, protection, development and social reintegration rather than as miniature adult offenders. At the same time, the right to release is not absolute. The proviso to Section 12(1) identifies three specific grounds on which bail may be refused: the likelihood of association with a known criminal, exposure to moral, physical or psychological danger, or the possibility that release would defeat the ends of justice. The present article examines these grounds and the standards that should govern their application by Juvenile Justice Boards and appellate courts. It analyses the significance of reasoned orders, Social Investigation Reports, psychological assessments, family circumstances, previous conduct and the best-interest principle. The article also considers the treatment of serious and heinous offences, including POCSO cases, and argues that the gravity of the allegation cannot independently substitute the statutory grounds under Section 12. Recent judicial decisions demonstrate a growing insistence that bail decisions concerning children must remain evidence-based, child-sensitive and consistent with the rehabilitative objectives of the legislation.

Keywords: Juvenile Justice, Bail, Child in Conflict with Law, Section 12, Social Investigation Report, Ends of Justice, Rehabilitation, Juvenile Justice Board.

1. Introduction

The question of bail assumes a special character when the person accused of an offence is a child. In the ordinary criminal justice system, the court may take into account several considerations such as the nature and gravity of the offence, the possibility of tampering with evidence, the likelihood of absconding and the interests of the victim and society. The juvenile justice system, however, proceeds from a different premise. A child alleged to have committed an offence is not dealt with primarily through punishment and incarceration. The legislative framework seeks to secure care, protection, development, treatment, rehabilitation and social reintegration. The Juvenile Justice (Care and Protection of Children) Act, 2015 (“JJ Act”) gives statutory expression to this philosophy. Section 12 is particularly significant because it establishes a special regime governing bail to a person who is apparently a child alleged to be in conflict with law. The provision applies irrespective of whether the alleged offence is bailable or non-bailable and begins with a mandatory formulation that such person “shall” be released on bail, subject only to the exceptions contained in its proviso. Thus, the central question in a juvenile bail application is not simply whether the allegation is serious. The more fundamental question is whether the prosecution or the material before the Board establishes one of the specific circumstances contemplated by Section 12(1). The Supreme Court has repeatedly emphasised this statutory structure, most recently in *Juvenile in Conflict with Law V v. State of Rajasthan*¹, where bail was granted after the courts below failed to record a finding that any of the exceptions under the proviso applied. The present article therefore examines the grounds upon which bail applications involving children may properly be disposed of, with particular attention to the three statutory exceptions and the manner in which they should be judicially assessed.

2. Statutory Framework Governing Bail Under Section 12

Section 12(1) of the JJ Act provides that when a person who is apparently a child is alleged to have committed a bailable or non-bailable offence and is apprehended or detained by the police, or appears or is brought before the Board, the person shall be released on bail with or without surety, or placed under the supervision of a probation officer or under the care of a fit person. The provision contains a non-obstante clause, giving it overriding effect over the Code of Criminal Procedure, 1973 and other laws in force. The special statutory scheme therefore

¹ Supreme Court, decided on 14 August 2024.

governs the question of bail in the case of a child in conflict with law. The purpose is to prevent the ordinary adult bail framework from undermining the special protections created by juvenile legislation. The proviso creates three exceptions:

1. release is likely to bring the child into association with any known criminal;
2. release is likely to expose the child to moral, physical or psychological danger; or
3. release would defeat the ends of justice.

The Board is additionally required to record the reasons for denying bail and the circumstances that led to the decision. If the child is not released, Section 12(2) and Section 12(3) prescribe placement in an observation home or place of safety rather than an ordinary prison. Further, where a child is unable to comply with bail conditions within seven days, Section 12(4) requires production before the Board for modification of those conditions.

3. Bail as the Rule and Refusal as the Exception

The Supreme Court's decision in *In Re: Exploitation of Children in Orphanages in the State of Tamil Nadu v. Union of India*², provides an important foundation for understanding Section 12. The Court explained that a child alleged to have committed an offence should ordinarily be released on bail and that denial is permissible only where one of the three statutory circumstances exists. Even where bail is refused, the child cannot be placed in jail or police lock-up and must instead be kept in an observation home or place of safety. The importance of this decision lies not merely in identifying the three grounds but in connecting them with the object of the JJ Act. The expression “ends of justice” cannot be understood in isolation from the purpose of the legislation. Juvenile justice seeks rehabilitation rather than retribution. Institutionalisation itself is intended to be a measure of last resort, while family care and social reintegration are preferred wherever possible. Consequently, a bail order under Section 12 should not become an indirect punishment imposed before determination of guilt. The presumption in favour of release reflects the legislative recognition that prolonged institutional custody can adversely affect a child's education, family relationships, psychological development and prospects of rehabilitation. The principle has also been reaffirmed by the

² (2020) 14 SCC 327

Supreme Court in *Juvenile in Conflict with Law V v. State of Rajasthan*³. The juvenile had remained in custody for approximately one year in a case involving Sections 74 and 351 of the Bharatiya Nyaya Sanhita, 2023 (BNS) and Sections 9 and 10 of the POCSO Act. The Supreme Court found that none of the courts had recorded a finding that the proviso to Section 12(1) applied. The Court therefore held that bail could not have been denied and directed release without surety, with supervision by the Probation Officer. The decision is particularly relevant because it demonstrates that the existence of a POCSO allegation does not by itself displace Section 12. The statutory exceptions must still be independently established.

4. Likelihood of Association with a Known Criminal

The first statutory ground concerns the possibility that release of the child would bring the child into association with a “known criminal.” This ground is intended to protect the child from harmful influences and prevent circumstances in which release may reinforce delinquent behaviour. The expression “known criminal” is important. The exception cannot properly be invoked merely by making a general assertion that the child may associate with undesirable persons. In *Nand Kishore (in JC) v. State*⁴, the Delhi High Court adopted a strict approach to this exception. It held that the prosecution should identify the known criminal and establish a reasonable basis for believing that release would result in association between the child and that person. Mere conjecture is insufficient. The requirement is therefore twofold. First, there must be some identifiable person or persons falling within the statutory expression. Secondly, there must be material connecting the anticipated release of the child with the likelihood of such association. This approach is consistent with the protective character of juvenile justice. If the concern is that a child will return to a criminal environment, the appropriate judicial response should not automatically be prolonged detention. The Board should examine whether the risk can be addressed through supervision, placement with a fit person, family intervention, counselling, or other rehabilitative measures.

In *Happy v. State of Haryana*⁵, the Punjab and Haryana High Court considered the meaning of “association” and observed that a mere single act involving another person does not necessarily establish continuing association with known criminals. There must be sufficient material to suggest a continuing relationship or likelihood of future association. Accordingly, the first

³ Ibid.

⁴ 2006 (4) RCR (Criminal) 754

⁵ 2019 (1) RCR (Criminal) 526

exception should be applied cautiously. It is not enough that the child lives in a difficult neighbourhood, comes from a disadvantaged family or has interacted with persons having criminal antecedents. The Board should identify the actual risk and determine whether release is likely to produce the specific harm contemplated by Section 12.

5. Exposure to Moral, Physical or Psychological Danger

The second exception concerns the child's own safety and welfare. Bail may be refused where release is likely to expose the child to moral, physical or psychological danger. This provision is distinct from conventional bail considerations. It is fundamentally protective. The question is not whether the child deserves punishment but whether immediate release may place the child in circumstances that could seriously affect the child's safety, development or rehabilitation. The Social Investigation Report ("SIR") assumes considerable importance in this context. It can provide information regarding the child's family, living conditions, relationships, education, neighbourhood, habits, mental and physical condition, employment, peer group and circumstances leading to apprehension. A Board therefore should not mechanically accept a police assertion that release may expose a child to danger. The concern should be supported by material. If, for example, the child is returning to a household where there is evidence of abuse, exploitation, substance dependence, criminal influence or serious conflict, the Board may legitimately consider whether release into that environment would be harmful. Conversely, where the SIR indicates a stable family environment and adequate supervision, the second exception may not be established. The Punjab and Haryana High Court's decision in *Vishvas v. State of Punjab*⁶, illustrates this requirement. Bail had been refused on apprehensions concerning the child's proximity to the prosecutrix and possible moral or psychological danger. The High Court found insufficient material to establish the statutory grounds and regarded the refusal as mechanical. The expression "moral danger" should also be interpreted carefully. It should not become a vague or paternalistic justification for detention. The inquiry should remain connected with the child's actual welfare and the rehabilitative purpose of the Act.

6. Release Would Defeat the Ends of Justice

The third ground, "the ends of justice," is the broadest and potentially the most difficult to

⁶ CRR No. 53 of 2021, decided on 8 February 2021

apply. It is also the ground most vulnerable to over-expansion if courts import ordinary criminal law considerations into juvenile proceedings. The phrase cannot be treated as synonymous with the seriousness of the offence or public anger arising from the allegations. Its meaning must be determined in the context of the JJ Act. The principal objective of juvenile justice is the care, protection, development, treatment, rehabilitation and social reintegration of children. Therefore, release may defeat the ends of justice only where, in the circumstances of the particular child, continued supervision or institutional care is genuinely necessary for protection, development, rehabilitation or the proper administration of the juvenile justice process.

This interpretation is supported by *In Re: Exploitation of Children in Orphanage*⁷s. The Supreme Court explained that the meaning of “ends of justice” under Section 12 must be understood with reference to the object of the JJ Act. If institutionalisation assists the protection, development and rehabilitation of the child, continued placement may be justified; otherwise, release and family reintegration better serve the statutory purpose. The approach was also examined in *Master Bholu v. State of Haryana*⁸. There, bail was refused in the context of a serious allegation involving the death of a young child. The court considered the prosecution material, medical evidence, CCTV footage and the Social Investigation Report and concluded that the particular circumstances could justify refusal under the “ends of justice” exception. The case is significant because it demonstrates that the principle of mandatory bail does not mean automatic bail. The statutory exceptions remain meaningful. What is required, however, is a factual connection between the material before the Board and one of those exceptions.

7. Gravity of the Offence Is Not an Independent Ground

One of the most important developments in juvenile bail jurisprudence is the judicial rejection of the proposition that seriousness of the alleged offence, standing alone, justifies denial of bail. The distinction is essential. An offence may be extremely serious, yet Section 12 does not create a separate “gravity of offence” exception. The seriousness of the allegation may be relevant to understanding the circumstances and the child's needs, but it cannot replace the three statutory grounds. This position was strongly reiterated in *Chandan Kumar Paswan v.*

⁷ Ibid.

⁸ CRR No. 3838 of 2018, decided on 30 June 2020

*State of Bihar*⁹. The Patna High Court held that the serious nature of the alleged offence was not by itself a valid ground for denying bail to a juvenile. The Court emphasised the rehabilitative purpose of the JJ Act and found the grounds relied upon by the Children Court unsustainable. It consequently directed release and additionally directed authorities to address the child's educational, vocational and socio-economic needs.

Similarly, in *Minor Museb Mehtab Shaikh through Mehtab Mohammedsafi Shaikh v. State of Gujarat*¹⁰, the Gujarat High Court reiterated that the seriousness of the alleged offence and the age of the juvenile are not, by themselves, grounds for denial under Section 12. The Court granted bail in a case involving a fatal stabbing allegation and relied significantly upon the Probation Officer's report concerning the child's circumstances. These decisions establish an important discipline for bail adjudication: *the court must move from allegation to statutory exception, and not directly from allegation to detention*.

8. Social Investigation Report and Psychological Assessment

A proper decision under Section 12 requires an understanding of the child beyond the alleged offence. The SIR is therefore an important source of information for the Board. The report may illuminate the family environment, socio-economic circumstances, education, peer relationships, neighbourhood, habits, psychological condition, previous conduct and circumstances surrounding the alleged offence. The importance of such material is evident from the Supreme Court's decision in *Juvenile in Conflict with Law V*. The psychological assessment indicated that the child did not fall within a high-risk category and recorded “no worry” in the relevant assessment column. In the absence of a finding that any statutory exception applied, the Supreme Court concluded that continued denial of bail was unwarranted. The SIR, however, should not be treated as a mere procedural document. Its usefulness depends upon its factual foundation. An unsupported statement in a report that a child has a particular “habit” or may fall into bad company should not automatically result in detention. The Board should examine the source of the information and its relationship with the three statutory exceptions. The proper approach is therefore evidence-based rather than formulaic.

⁹ 2025 SCC OnLine Pat 2434, decided on 8 July 2025

¹⁰ Criminal Revision Application No. 126 of 2026, decided on 2 April 2026

9. Family Environment and Rehabilitation

The family occupies a central place in the philosophy of the JJ Act. The legislation recognises institutionalisation as a measure of last resort and favours family-based care and social reintegration wherever appropriate. This principle directly affects the disposal of bail applications. Where a child has a responsible parent or guardian capable of providing supervision, the Board should consider whether release under the care of that person, possibly with Probation Officer supervision, can adequately address the identified risks. A bail order may therefore incorporate constructive conditions such as:

- supervision by a Probation Officer;
- regular attendance before the Board;
- continuation or resumption of education;
- vocational training;
- counselling;
- restrictions on contact with specified persons where genuinely necessary;
- parental undertakings; and
- periodic reporting regarding the child's conduct.

Such conditions are preferable to detention where they adequately address the concerns underlying the proviso. The approach adopted in *Chandan Kumar Paswan* illustrates this rehabilitative model. Rather than treating bail as the end of the judicial intervention, the Patna High Court connected release with education, vocational training, food security and other welfare measures.

11. Disposal of Bail Applications: The Required Judicial Approach

A proper disposal of a juvenile bail application should therefore follow a structured process.

1. First, determine the applicability of Section 12. The Board should first establish that the person is apparently a child alleged to have committed an offence and that the application falls within Section 12.

2. Secondly, begin with the statutory presumption. The starting point must be release, not detention. The use of the word “shall” and the non-obstante clause indicate the legislative preference for release.
3. Thirdly, identify the specific exception relied upon. If bail is opposed, the prosecution should identify whether the objection relates to association with a known criminal, moral, physical or psychological danger or defeat of the ends of justice. A general statement that the offence is serious should not be treated as sufficient.
4. Fourthly, examine supporting material. The Board should consider the SIR, psychological assessment where available, family circumstances, previous conduct, education, peer group, living conditions and other relevant material.
5. Fifthly, record a reasoned finding. If bail is refused, the order should clearly identify the applicable exception and explain the factual material supporting it. The requirement to record reasons is not a technical formality; it is a safeguard against arbitrary detention. The Supreme Court's 2024 decision makes this especially clear. Since none of the lower forums had recorded a finding that the proviso applied, the denial of bail could not be sustained.
6. Sixthly, consider whether conditions can address the concern. Before ordering continued institutional custody, the Board should consider whether supervision, parental care, counselling, education or another protective arrangement can sufficiently address the identified risk.

12. Limits on Reliance on Ordinary Criminal Bail Principles

The special nature of Section 12 also limits reliance upon general provisions governing bail under ordinary criminal procedure. The non-obstante clause makes Section 12 a special statutory regime. The Gujarat High Court in *Child in Conflict with Law through Savitaben Vitthalbhai Vasava v. State of Gujarat*¹¹ held that Section 439 CrPC does not provide the source of power for deciding juvenile bail because Section 12 independently governs the issue. The same approach was associated with *Tejram Nagrachi Juvenile v. State of Chhattisgarh* and

¹¹ 2022 (0) AIJEL-HC 244005,

*CCL 'A' v. State (NCT of Delhi)*¹². This is important because adult bail jurisprudence frequently places considerable weight on the gravity of the offence. Importing that approach wholesale into juvenile proceedings would risk defeating the special legislative command contained in Section 12. The position concerning anticipatory bail, however, has generated divergent High Court decisions. The Bombay and Gujarat High Courts have, in certain decisions, favoured availability of anticipatory bail to children, whereas the Madras, Allahabad and some other High Courts have taken the view that the JJ Act's special apprehension procedure makes such applications unnecessary or impermissible. The material supplied for this article itself records this judicial divergence. Since the present article concerns the grounds for disposal of regular juvenile bail applications under Section 12, this unresolved question need not determine the substantive analysis of the three statutory exceptions.

13. Divergent Judicial Approaches

In *Raman and Anr. v. State of Maharashtra*¹³, The Bombay High Court considered whether a child in conflict with law could invoke Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS). The Court answered the question in the affirmative. It reasoned that Sections 10 and 12 of the JJ Act principally operate after apprehension, whereas Section 432 concerns the stage before apprehension. The Court therefore found no direct conflict between Section 438 and the juvenile justice framework. The Court also relied upon the beneficial interpretation given to anticipatory bail in *Gurbaksh Singh Sibbia v. State of Punjab*¹⁴ and the liberty-oriented approach subsequently emphasised in *Sushila Aggarwal v. State (NCT of Delhi)*¹⁵. The underlying reasoning was that the expression “any person” in Section 432 could include a child and that the beneficial nature of the JJ Act should not be interpreted as taking away an otherwise available protection of personal liberty. A similar position was taken by the Gujarat High Court in *Kureshi Irfan Hasambhai v. State of Gujarat*¹⁶. The Court emphasised that liberty of the juvenile must be protected, the JJ Act contains no express prohibition against anticipatory bail; and practical difficulties cannot by themselves create a statutory prohibition. The Court reasoned that where the legislature intends to exclude Section 482, it ordinarily does so expressly, as seen in other special statutes.

¹² 2019 SCC OnLine Chh 24.

¹³ 15 July 2022 (Bom HC) (Aurangabad Bench)

¹⁴ (1980) 2 SCC 565; 1980 SCC OnLine SC 125

¹⁵ (2020) 5 SCC 1; 2020 SCC OnLine SC 98.

¹⁶ R/Criminal Misc. Application No. 6978 of 2021, decided on 9 June 2021 (Guj. H.C.).

The Chhattisgarh High Court, relying upon *Union of India v. G.M. Kokil*¹⁷, treated the non-obstante clause in Section 12 as significant in determining the applicability of the general bail provisions. The Madras High Court in *K. Vignesh v. State represented by Inspector of Police*¹⁸, adopted the view that a child in conflict with law cannot properly seek anticipatory bail because the JJ Act creates a self-contained framework for apprehension, production and release. The JJB is specifically constituted with child-friendly expertise and is entrusted with the responsibility of dealing with the child. The Punjab and Haryana High Court in *X v. State of Haryana*¹⁹ similarly held that an application under Section 438 CrPC was not maintainable in relation to a juvenile.

The Uttarakhand High Court in *Rashid Rao v. State of Uttarakhand*²⁰ examined the overriding provisions of the JJ Act and the special procedure applicable to children. The Court also considered the conduct of the applicant, including the existence of a non-bailable warrant arising from avoidance of appearance before the Board. In *Mr. Mohammed Bin Ziyad v. The State of Telangana*²¹, the Telangana High Court rejected an attempt to seek anticipatory bail by way of a writ petition. The Court relied upon the special safeguards contained in the JJ Act and the view that a child should ordinarily obtain relief through Section 12 rather than through general criminal procedure. These divergent decisions demonstrate that the question of anticipatory bail remains doctrinally distinct from the ordinary disposal of bail applications under Section 12.

14. The JJ Act as a Special and Beneficial Legislation

The divergent anticipatory bail decisions also reveal a broader interpretative question: whether the Juvenile Justice (Care and Protection of Children) Act, 2015 should be treated as a completely self-contained code or read harmoniously with general procedural safeguards. The answer must be informed by the beneficial purpose of the legislation. The JJ Act was not enacted to create additional restrictions upon children. Its objective is to provide a more protective framework. Consequently, any interpretation that unnecessarily reduces the protection available to a child should be approached cautiously. At the same time, the special procedures created by the Act cannot be ignored. The JJB has specialised responsibilities and

¹⁷ 1984 Supp SCC 196 : AIR 1984 SC 1022

¹⁸ 2017 SCC OnLine Mad 28442

¹⁹ CRM-M-21406 of 2021 (P&H HC July 5, 2021).

²⁰ 2022 SCC OnLine Utt 481 (Utt HC May 24, 2022).

²¹ W.P. No. 12422 of 2021 (Telangana HC June 21, 2021).

is required to follow a child-friendly procedure. Thus, the better approach is to preserve the special protections of Section 12 while ensuring that the statutory framework is not converted into a mechanism for unnecessary deprivation of liberty.

Before Section 12 can be meaningfully applied, the status of the accused as a child may itself have to be determined. In cases where age is disputed, courts may be required to examine documentary evidence and other relevant material. The material supplied also refers to *Shimil Kumar v. State of Haryana*, where the broader question of maturity and the distinction between biological age and the social and psychological dimensions of childhood were considered. Age determination is therefore not always a purely mechanical exercise. It can determine whether the individual is entitled to the special protections of the juvenile justice framework. Where a person is legally determined to be a child, the special bail provisions must be applied accordingly.

17. Disposal of Bail Applications: Judicial Standards

A proper order disposing of a juvenile bail application should therefore proceed through a structured inquiry. The Board should begin its consideration of bail with the statutory presumption that release is the rule. Where bail is opposed, the Board should identify precisely which of the three statutory exceptions is being relied upon and examine the supporting material before reaching a decision. Such assessment should take into account the Social Investigation Report (SIR), psychological assessment, family circumstances, previous conduct, education, peer relationships, and other relevant circumstances of the child. The gravity or seriousness of the alleged offence should not be treated as conclusive, as serious allegations may warrant careful scrutiny but do not constitute an independent statutory ground for refusing bail. The Board should also consider whether alternative protective arrangements, such as parental supervision, supervision by a Probation Officer, placement with a fit person, counselling, or educational and vocational interventions, can adequately address the identified risks. Where bail is refused, the Board must record clear and specific reasons, identifying the factual circumstances that establish the applicability of the relevant statutory exception. Finally, the necessity of continued institutionalisation should be periodically reviewed. Where the identified risk can be adequately addressed through supervised release or other protective measures, institutional custody should not become the default response.

14. Critical Analysis

The principal difficulty in the practical application of Section 12 is not the absence of statutory standards but inconsistent application of those standards. The language of the statute is comparatively clear. Yet bail orders sometimes rely upon expressions such as “serious offence,” “heinous allegation,” “possibility of repetition,” or “ends of justice” without demonstrating how the facts satisfy one of the three statutory exceptions. Such reasoning risks converting the exception into the rule.

A second concern is the quality and availability of Social Investigation Reports. The SIR can provide essential information, but its effectiveness depends upon proper investigation by the Probation Officer and meaningful consideration by the Board. A poorly prepared report can either expose a vulnerable child to danger or unnecessarily prolong institutional custody.

A third issue is the tendency to equate detention with protection. The juvenile justice framework does not assume that institutionalisation is inherently rehabilitative. A child may sometimes be better protected within a stable family environment with appropriate supervision and counselling.

A fourth concern is delay. Prolonged detention is particularly problematic in juvenile cases because childhood is a limited developmental period. A year spent in institutional custody can have consequences for education, family relationships and psychological development that cannot simply be restored later. The Supreme Court's intervention in *Juvenile in Conflict with Law V*²² demonstrates the seriousness of this concern: the child had spent approximately one year in custody even though none of the courts had properly found that the statutory proviso applied.

16. Conclusion

Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 embodies a deliberate legislative choice: a child in conflict with law should ordinarily be released rather than detained. This principle applies even where the alleged offence is non-bailable and, as judicial decisions have clarified, the seriousness of the allegation cannot by itself constitute a fourth ground for refusing bail. The three statutory exceptions are specific and must be applied

²² Ibid.

carefully. The possibility of association with a known criminal requires identifiable material showing a genuine risk of such association. The ground relating to moral, physical or psychological danger requires an assessment of the child's actual circumstances and welfare. The expression “ends of justice” must be interpreted in the light of the JJ Act's rehabilitative purpose and cannot simply be equated with punishment, public sentiment or the gravity of the allegation. The role of the Social Investigation Report is consequently central. It enables the Board to understand the child as an individual rather than merely as an accused person. Family circumstances, education, psychological condition, peer relationships, previous conduct and the possibility of supervised rehabilitation are all relevant to a meaningful Section 12 determination. Ultimately, the proper disposal of a juvenile bail application requires the Board or court to ask not merely whether the child is accused of a serious offence, but whether continued custody is genuinely necessary within the statutory framework. Juvenile justice is founded on the possibility of reform. Bail, where the statutory exceptions are absent, gives practical effect to that possibility while allowing appropriate supervision and protective measures to remain available. The objective is therefore not to choose between the interests of the child and the interests of justice, but to understand that, within the juvenile justice framework, the protection, rehabilitation and responsible reintegration of the child are themselves integral components of justice.