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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8042 of 2026

Shiv Kumar Sao S/o Late Shri Munni Sao, Aged About 32 Years, R/o- Ward No. 15 Jargarh, P.O. - Annaraj, Navadih, P.S. and District - Gadhwah (Jharkhand) in impugned order wrongly mentioned as Chhattisgarh.

... Applicant

versus

State of Chhattisgarh Through Police Station - Ratanpur, District - Bilaspur (C.G.)

... Non-Applicant

For Applicant : Mr. Ram Banday, Advocate.

For Non-Applicant/State : Ms. Anusha Naik, Deputy Government Advocate.

Hon'ble Shri. Ravindra Kumar Agrawal, Judge

Order on Board

03.09.2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 504/2026 registered at Police Station – Ratanpur, District - Bilaspur (C.G.) for the offence punishable under Section 105 of Bharatiya Nyaya Sanhita, 2023.
2. The case of the prosecution is that on 18.07.2026, at about 8:00 a.m., when the deceased was working near the Ochhinapara Over Bridge on the road divider, the applicant, while driving the trailer vehicle bearing registration No. BR 03 GC 9045, despite being aware that the deceased

was working on the divider and having seen her, drove the vehicle in a rash and negligent manner, as a result of which the trailer vehicle mounted the road divider, overturned, and dragged the deceased for a certain distance, causing fatal injuries to her. Consequently, she succumbed to the injuries sustained in the incident. The FIR has been registered and the investigation is still in progress.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that the offence under Section 105 of the BNS is not attracted, as there was no negligence on the part of the applicant in driving the vehicle and the incident was merely an accident. He further submits that there was no intentional act on the part of the applicant which caused the death of the deceased. The applicant has been in judicial custody since 19.07.2026 and is the sole breadwinner of his family. Although the investigation has not yet been completed, looking to the nature of the offence, the final adjudication of the case is likely to take considerable time. Therefore, it is prayed that the applicant be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail to the applicant and submits that, considering the manner in which the accident occurred, the fact that the deceased was run over and died in the incident, and the negligence of the applicant as demonstrated from the material collected during the investigation, and further considering that the investigation has not yet been completed, the applicant is not entitled to be released on bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the submissions made by learned counsel for the parties, the nature of the allegations, the material collected during the investigation so far, and the fact that the investigation is still in progress, I am not inclined

to release the applicant on bail.

7. Accordingly, the bail application of the applicant - **Shiv Kumar Sao** involved in Crime No. 504/2026 registered at Police Station – Ratanpur, District - Bilaspur (C.G.) for the offence punishable under Section 105 of Bharatiya Nyaya Sanhita, 2023, is **rejected**.

Sd/-
(Ravindra Kumar Agrawal)
Judge