CGHC010329212026 2026:CGHC:47010

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No.1135 of 2026

1 - Xyz Nil

Applicant (s)

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station Civil Line Bilaspur, Distt. Bilaspur (C.G.)

Respondent(s)

For Applicant (s)	:	Ms. Seema Singh Chandel, Advocate
For Respondent-State	:	Mr. Anish Tiwari, Dy. GA
For Respondent-Objector	:	Mr. Abhishek Pandey, Advocate

Hon'ble Mr. Justice Naresh Kumar Chandravanshi

Order on Board

05/11/2026

1. This criminal revision has been preferred by the applicant/juvenile under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (henceforth 'referred as 'JJ Act') challenging the order dated 12.08.2026 passed by the learned Upper Session Judge (FTC)/Children Court, Bilaspur in Criminal Appeal No.245/2026, whereby the appeal preferred by the applicant/juvenile has been rejected upholding the order dated

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27.07.2026 passed by the learned Principal Magistrate, Juvenile Justice Board, Bilaspur (C.G.) in Crime No.959/2026, by which the bail application of the applicant/juvenile under Section 12 of the JJ Act was rejected.

2. Facts of the case in nutshell are that on 12.07.2026, the applicant/juvenile while driving car bearing Registration No.CG-10-BH-7752 on wrong side dashed scooty bearing Registration No.MP-18-S-0114 driven by Rudra Pratap Sharma, therefore, Rudra Pratap Sharma sustained grievous injuries and succumbed to those injuries. Therefore, FIR was registered for the offence under Section 105 of BNS against the applicant/juvenile and after investigation, charge sheet has been filed before the JJB, Bilaspur, which is pending consideration.

3. The bail application filed by the applicant/juvenile was rejected by the Juvenile Justice Board, Bilaspur vide order dated 27.07.2026 and thereafter the appeal preferred by him has also been rejected vide impugned order dated 12.08.2026 (Annexure-A/1) by the learned Upper Session Judge (FTC)/Juvenile Court, Bilaspur (C.G.). Hence this criminal revision.

4. Learned counsel for the applicant/juvenile would submit that this is the first conflict with law of the applicant/juvenile, who is student of Class 11th. The applicant/juvenile is in observation home since 16.07.2026, charge sheet has already been filed, as such keeping applicant/juvenile for further period in the Observation Home may change his childish thinking, hence it is

prayed that the orders passed by the learned Appellate Court as well as learned Juvenile Justice Board be set aside and the applicant be enlarged on bail.

5. Per contra, learned State counsel while assisted by learned counsel appearing for the objector (father of deceased) would submit that the deceased died on account of complete negligence of the applicant/juvenile, who was driving the car without having driving licence, that too on wrong side. Hence, they pray that the revision may be rejected, however, they submit that the social status report of the applicant/juvenile is not negative.

6. Heard learned counsel for the parties and perused the material available on record.

7. As per the social status report of the applicant/juvenile, this is the first conflict with law of the applicant/juvenile and his conduct and behavior in the observation home has been reported to be good, he is said to be the student of Class 11th, he is in observation home since 16.07.2026 and nothing has been brought by the prosecution to hold that if the applicant/juvenile is released on bail, then his release will likely to bring him into association with any known criminal or expose the said person to moral, physical or psychological danger or his release would defeat the ends of justice, therefore, on due consideration of the aforesaid aspects of the matter, this Court is inclined to allow the instant revision.

8. Accordingly, the impugned order dated 12.08.2026 passed by the learned Upper Session Judge (FTC)/Children Court, Bilaspur and the order dated 27.07.2026 passed by the learned Principal Magistrate, Juvenile Justice Board, Bilaspur are hereby set aside.

9. It is directed that if the mother or father of the applicant/juvenile furnishes their own bail bond of Rs.50,000/- along with one surety in the like amount to the satisfaction of the Juvenile Justice Board, Bilaspur for appearance of the applicant/juvenile before it, as and when directed by it, the applicant shall be released into the custody of his parents.

Sd/-

(Naresh Kumar Chandravanshi)
Judge

Nirala