CGHC010362402026

NAFR

SAGRIKA AGRAWAL
Digitally signed by SAGRIKA AGRAWAL
Date: 2026.10.09 10:46:46 +0530

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8788 of 2026

1 - 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 Distt. Gadhwa, Jharkhand.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through P.S. Ratanpur, Distt. Bilaspur, Chhattisgarh.

... Respondent(s)

(cause title taken from CIS)

For Petitioner(s)	:	Mr. Jai Prakash Shukla, Advocate
For Respondent(s)	:	Ms. Isha Jajodia, Panel Lawyer

Hon'ble Shri Justice Ravindra Kumar Agrawal, J

Order on Board

08.10.2026

1. This is the second bail application of the applicant. The first bail application of the applicant has been rejected on merits vide order dated 03.09.2026 passed in MCRC No. 8042/2026. The applicant, who is in jail since 19.07.2026 in connection with the Crime No. 504/2026, registered at P.S. Ratanpur, District- Bilaspur (CG) for the offence under Section 105 of Bharatiya Nyay Sanhita, 2023, is claiming regular bail.

2. The case of the prosecution in brief 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 charge-sheet has been filed.

3. Learned counsel for the applicant would submit that at the time when the first bail application of the applicant was dismissed, charge-sheet was not filed and now the charge-sheet has been filed. He would further submit that the applicant is a driver of the vehicle which accidentally got turtle down and the deceased who was working on the side of the road lost her life. It was just an accident and not any intentional act of the applicant. The applicant is having minor children in his family and there would be very hardship in their family for their livelihood, if the applicant be kept in jail. It is only when he tried to save his vehicle to dash from another vehicle, the vehicle driven by the applicant dashed with the divider and got turtle down. The offence, if any, does not travel beyond the scope of the offence under Section 106 of BNS, 2023. The applicant is in jail since 19.07.2026 and final adjudication of the case will take its own time, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the submissions made by learned counsel for the applicant and would submit that it was

a brought day light accident and the speed of the vehicle was such that even after got turtle down, it dragged the vehicle upto 20 meters and the deceased Mahima Koshle has died. The accident was so severe that her body parts were divided into two parts. Looking to the manner in which the accident occurred and that the first bail application of the applicant has been dismissed on merits, his second bail application is liable to be dismissed.

5. I have heard learned counsel for the parties and perused the case diary.

6. Considering the submissions made by leaned counsel for the parties, nature of allegation and material collected during the investigation, further considering that the first bail application of the applicant has been dismissed on merits, I am not inclined to release the applicant on bail at this stage.

7. Accordingly, the second bail application filed by the applicant is hereby **dismissed.**

8. However, the applicant is at liberty to revive his prayer after framing of charge before the learned trial Court.

Sd/-
(Ravindra Kumar Agrawal)
Judge

sagrika