



2026:AHC:164333

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 2925 of 2026

Juvenile X

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Revisionist(s)	:	A.T. Pandey
Counsel for Opposite Party(s)	:	G.A., Ratnesh Mani Tripathi

Court No. - 76

HON'BLE SAMIT GOPAL, J.

1. List revised.

2. This matter is assigned to this Bench vide order dated 08.07.2026 of Hon'ble The Chief Justice.

3. Heard Sri A.T. Pandey, learned counsel for the revisionist, Sri Ratnesh Mani Tripathi, learned counsel for the first informant/O.P. No.2, Sri Ajay Singh, learned A.G.A.-1 for the State and perused the material on record.

4. Compliance affidavit dated 23.05.2026 of the State is on record. A counter affidavit dated 21.07.2026 of the opposite party no.2 is also on record.

5. Learned counsel for the revisionist submits that he does not proposes to file any rejoinder affidavit to the counter affidavit of the opposite party no.2. He submits that he is ready to argue the matter. The Court thus proceeds to hear the matter.

6. The present revision under Section 102 of Juvenile Justice (Care and Protection of Children) Act, 2015 has been filed by the revisionist- **Juvenile X** with the prayers to allow the present revision and set aside the order dated 19.03.2026 passed by Juvenile Court / Additional Session Judge, Maharajganj in Criminal Appeal No. 15 of 2026 (Juvenile X Vs. State) in Case Crime No. 294 of 2025, under Sections 281, 105 BNS and Section 199(A) M.V. Act, P.S. Paniyara, District Maharajganj as well as order dated 13.02.2026 passed by Principal Magistrate Juvenile Justice Board, Maharajganj in Misc. Case No. 345 of 2025 (State Vs. Juvenile X) and with a further prayer to release the revisionist on bail in the aforesaid case, during the pendency of the present revision.

7. The FIR of the matter was lodged on 18.07.2025 by opposite party no.2 against unknown driver of vehicle alleging therein that on 17.07.2025 her

mother-in-law Jokhni was going from her shop to the house and as soon as she reached the house of Gubbu an unknown vehicle coming from the front hit her due to which she received serious injuries at about 08:30 pm but the owner of the vehicle then ran away. She was taken to the medical college after which she died.

8. Smt. Jokhni is the deceased who as per the postmortem examination was found to have received five injuries which are as under:

"i) Lacerated wound 3cm x 2cm x bone deep on mid of forehead.

ii) Lacerated wound 2.5cm x 1cm x bone deep on top of head, on cutting haematoma present underneath and over brain and membrane.

iii) Stitched wound 1cm long having one stitch on left leg, on opening wound is bone deep.

iv) Stitched wound 4cm long having two stitches on left leg, on opening underlying both bones are fractured.

v) Stitched wound 8cm long having five stitches on right leg, on opening wound is bone deep, underlying tibia bone fractured."

The cause of death is due to coma as a result of antemortem head injury.

9. Learned counsel for the revisionist submits that the revisionist has been falsely implicated in the present case. It is submitted that the revisionist is not named in the FIR. It is submitted that the identification of the revisionist as driving the said vehicle was disclosed on the next day of the alleged incident during investigation wherein the vehicle number was also identified. It is submitted that investigation in the matter has concluded and a charge sheet has been submitted. It is submitted that the revisionist was declared as a juvenile vide order dated 17.01.2026 passed by Juvenile Justice Board, Maharajganj and was declared to be aged about 15 years, 6 months and 16 days at the time of occurrence. It is submitted that the opposite party no.2 has also initiated proceedings for compensation before the Motor Accidents Claims Tribunal which is pending disposal. It is submitted that the revisionist has no criminal history as stated in para 13 of the affidavit. The revisionist is in jail/observation home since 14.11.2025. It is submitted that the present revision deserves to be allowed.

10. Per contra, learned counsel for the State and first informant/opposite party no.2 opposed the prayer for bail in revision but could not dispute the factual averments as argued. However, learned counsel for the opposite party no.2 submits that in the present matter Ashok Kumar the father of the revisionist and the owner of the vehicle during interrogation has stated that he had sent his son for some work and his statement would thus show

that he has sent his son on the said vehicle and thus he should also be liable for the same in the matter.

11. After having heard learned counsel for the parties and perusing the records, it is evident that the revisionist is a juvenile. The investigation in the matter has concluded and a charge sheet has been submitted. A claim petition before the Motor Accidents Claims Tribunal has been filed by the opposite party no.2 with regards to the present incident which is pending.

12. The present revision is **allowed**. The order dated 19.03.2026 passed by Juvenile Court / Additional Session Judge, Maharajganj and order dated 13.02.2026 passed by Principal Magistrate Juvenile Justice Board, Maharajganj in the aforesaid cases are hereby set aside. The bail application of the revisionist is allowed.

13. Let the revisionist (**Juvenile X**) through his natural guardian/father Ashok be released on bail in the aforesaid case on furnishing a personal bond with two sureties in the like amount to the satisfaction of the Juvenile Justice Board concerned subject to the following conditions:

(i) that the natural guardian/father will furnish an undertaking that upon release on bail the juvenile will not be permitted to come into contact or association with any known criminal or be exposed to any moral, physical or psychological danger and further that the juvenile will not repeat the offence.

(ii) that the guardian/father will further furnish an undertaking to the effect that the juvenile will be placed in a school and encouraged to his studies and not allow to waste his time in unproductive and mere recreational pursuits.

(iii) The revisionist and his father will report to the District Probation Officer on the first Monday of every month with effect from the first Monday of the month next after release from custody, and, if during any calendar month the first Monday falls on a holiday then on the following working day.

(iv) The District Probation Officer will keep strict vigil on the activities of the revisionist and regularly draw up his social investigation report that would be submitted to the Juvenile Justice Board concerned on such periodical basis as the Juvenile Justice Board determines.

(Samit Gopal,J.)

August 6, 2026
M. ARIF