

COURT OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE, NAWADA
B.P. No.397/2026, B.P.No. 476/2026 & B.P. No.586/2026

1. B.P.No. 397/2026

Upendra Chaudhary

Versus

State of Bihar

Petitioner

Opp. Party

2. B.P.No. 476/2026

Sonarwa Devi

Versus

State of Bihar

Petitioner

Opp. Party

&

3. B.P.No. 586/2026

Raushan Kumar

Versus

State of Bihar

Petitioner

Opp. Party

Date of order or proceeding	Order with signature of the court	Office action taken with date
08.06.2026	B.P. No.397/2026, B.P.No. 476/2026 & B.P. No.586/2026 have been filed on behalf of the petitioners, namely, Upendra Chaudhary, Sonarwa Devi and Raushan Kumar, who are in custody since, 16.02.2026 respectively, in connection with Kawakole P.S. Case No.91/2026 u/ss. 191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2), 109, 356(2), 351(2), 351(3) of the B.N.S. and later on added Section 103(1) of the B.N.S. and put up for hearing. B.P. No.397/2026, B.P.No. 476/2026 & B.P. No.586/2026 are being heard together and are being disposed of hereby by this common order, as all the petitions arise out of same police station case number bearing Kawakole P.S. Case No.91/2026. 2. Heard Shri Kamlesh Kumar in B.P. No.397/2026, Shri Ramchandra Rajbanshi in B.P.No. 476/2026 & Shri Amar Kumar @ Karan in B.P. No.586/2026 learned counsels for the petitioners as well as Shri Manoj Kumar Singh, learned P.P. for the State and	

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perused the record including the case diary.

3. The short case of the prosecution as per Fardbayan of the informant Mano Devi is that on 15.02.2026 at about 09:00 A.M., the accused-Sonarwa Devi came to her house and started busing her and told that she is breaking marriage of her Jaidhi and due to which an altercation took place and same was pacified by the local people. It is alleged that on the same day at about 12:00 P.M. while her son, namely, Rajesh Kumar was plastering drainage situated outside her house and her daughter were also there and engaged in chit-chat, all the accused persons including these petitioners equipped with various weapon and started assaulting her son and daughter. It is alleged that upon hearing noise, when her husband, son, grand-daughter and other family members came out from her house, they also assaulted them by means of iron rod, stick, etc. It is also alleged that they also threatened to kill them.

4. Learned counsels for the petitioners jointly submitted that the petitioners have no criminal antecedent and they are in custody since 16.02.2026. It has been further submitted that the petitioners are innocent and they have been falsely implicated in this case due to family dispute. It has been submitted that no specific allegation has been levelled against the petitioners, namely, Upendra Chaudhary, Sonarwa Devi and except petitioner-Raushan Kumar, who, as per FIR, has assaulted the deceased. It has further been submitted that both the parties are close relatives. Hence bail petitions

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Contd. 08.06.2026 <i>08/06/2026</i>	of the petitioners may be allowed. On the contrary the learned P.P. opposed the prayer for bail of the petitioners. 5. All the accused petitioners are in custody since 16.02.2026. In B.P. No.397/2026, Upendra Chaudhary is the petitioner, who has no criminal antecedent and there is general and omnibus allegation against him of assaulting the informant side, in B.P.No. 476/2026, the petitioner is Sonarwa Devi, who has no criminal antecedent and there is general and omnibus allegation against him of assaulting the informant side and hurling abuses and in B.P. No.586/2026, petitioner is Raushan Kumar and there is specific allegation levelled against him of assaulting the husband of the informant along with other co-accused, Bablu Chaudhary and Subhash Chaudhary, who have assaulted the on the head of the deceased by iron rod due to which the deceased later on in the course of treatment succumbed to his injury. The postmortem report has been brought on record, which shows, the deceased Dashrath Chaudhary has suffered Sub scalp Hematoma all over, comminuted fracture of size 14cm X 9cm over left temporo-parietal region 4 cm from midline, adjoining left ear. Sub Dural Hematoma all over. In general all abdominal viscera congested. Stomach contains yollowish fluid around 40 ml. Mucosa normal, Bladder empty. Abrasion of size 1cmx0.5.cm over left forehead and 10cmx2cm over left side chest, 21 cm from midline and stitch in left parietal region of length 6cm, 1cm from midline, 12 cm from left ear	
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base. The opinion given by the doctor with regard to the cause of death is the head injury and its complication. There is specific allegation of assaulting the deceased is upon the petitioner-Raushan Chaudhary of B.P. No.586/2026 and against rest of the petitioner-Upendra Chaudhary of B.P. No.397/2026 and petitioner-Sonarwa Devi of B.P.No. 476/2026, there is general and omnibus allegation. Further, the injury reports have been brought on record, which shows the injury on the person of Bibha Devi is pain and swelling over left shoulder and pain and swelling over left thigh and the nature of injury was found to be simple. On the person of Radha Devi the following injury, i.e. pain and swelling and deformity of left arm and X-ray of left arm which was shown fracture shaft of humerus and the same found to be grievous but not on vital part of the body. Jyoti Kumar has suffered pain and swelling on left forearm and x-ray report of left forearm and elbow are normal. The injury was found to be simple and it does not correspond the description of hand injury as described in the body of the FIR. Pritam Kumari has suffered pain on left shoulder and left arm and after its X-ray the same was found to be normal and the injury also found to be simple. Injury on the person of Rajesh Chaudhary was body-ache and abrasion all over upper limb and both shoulder joints and X-ray of the same was found to be normal and injury was also found to be simple in nature. Shambhu Chaudhary has suffered abrasion on right shoulder 1X1/2X1/4 size and pain and swelling on right forearm and X-ray of the same

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was found to be normal. The injury was found to be simple in nature. Punam Kumari has suffered abrasion on left forearm near the left wrist 1X1/2X1/4 cm size and the injury was found to be simple in nature. The injury found on the person of Rahul Kumar is clean lacerated wound vertex of head 4x1/2x1/4 cm size. Pain and swelling over right leg 3x3cm size. CT-scan of brain impression, 1.left frontal lob hematoma 5.0x3.5cm size, 2.left fronto temporo parietal epidural hematoma 6.0X1.0 cm size. Further the injury was found to be grievous. Charge-sheet vide Charge-sheet No.277/2026 dated 08.05.2026 has already been submitted against the petitioners, namely, Upendra Chaudhary, Sonarwa Devi and Raushan Kumar.

6. In view of the above this court thinks it fit just, proper and legal to admit the petitioner-Upendra Chaudhary of B.P. No.397/2026 and petitioner-Sonarwa Devi of B.P.No. 476/2026 on bail. Accordingly, the prayer for regular bail of the accused-petitioners, namely, **Upendra Chaudhary, Sonarwa Devi** are being **allowed** hereby and the they are directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court subject to the conditions that the petitioners shall not commit an offence similar to the offence of which they are accused, or suspected, of the commission of which they are suspected, they will not tamper with the evidence, they shall remain present on each and every date during trial and if the they fail to appear

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on two consecutive dates their bail-bonds shall be liable to be cancelled.

7. So far as bail petition bearing B.P. No.586/2026 of the petitioner-Raushan Kumar, is concerned, this court does not think it fit just, proper and legal to admit the petitioner on bail. Accordingly, the prayer for regular bail of the accused-petitioner-**Raushan Kumar** of B.P. No.586/2026, is being **rejected** hereby.

(Dictated & corrected by me)

Principal Sessions Judge.