

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 30<sup>th</sup> March, 2026

Present:- Dinesh Sharma, Principal District & Session Judge, Saharsa

B.A. No. 135/2026 (Arising out of Kanariya P.S. Case No. 48/2025)

**Rudal Chaudhary**

**..... Petitioner Vs State of Bihar**

**In the matter of :-**

Rudal Chaudhary S/o Banarshi Chaudhary

Resident of Village Chamani, P.S. Kanaria, District Saharsa.

**....Petitioner**

Vs

State of Bihar

**.....Opposite Party**

**Appearance :-**

For the Petitioner :- Sri Santosh Kumar Sinha, Advocate

For the State :- Sri Krishna Murari Prasad, Ld. P.P.

| Date of proceeding | Order with the signature of the court                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Office action taken with date |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| 30.03.2026         | <p>This bail petition has been filed on behalf of the petitioner namely <b>Rudal Chaudhary</b> S/o Banarshi Chaudhary who is in custody since 29.01.2026 in connection with Kanariya P.S. Case No. 48/2025 registered under Sections 126(2), 115(2), 118(1), 117(2), 109, 3(5) of BNS, 2023.</p> <p>2. Heard the arguments of the learned counsel for the petitioner and the learned P.P. for the State.</p> <p>3. It is submitted by the learned counsel for the accused petitioner that petitioner is in custody since 29.01.2026. it si further submitted that petitioner bears criminal antecedent of one case i.e. Kanariya P.S. Case No. 24/2024 in which he is on bail. It is further submitted that petitioner is quite innocent and has committed no offence and he has falsely been implicated in this case due to dirty village party politics. It is further submitted that petitioner is a man of means and he is ready to furnish sound sureties to the full satisfaction of the court. Upon these grounds, the learned counsel prays to grant bail to the petitioner.</p> <p>4. On the other hand, the learned P.P. has vehemently opposed the prayer of bail.</p> <p>5. Rival submissions considered, Record perused.</p> <p>6. The prosecution case, in short as per the written report of informant Shivkumar Chaudhary is that his</p> |                               |

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Cont/2-  
30.03.2026

land is situated in Mauja Dhanpura whose registered deep and updated receipt is in the name of his father in which he had sown paddy by ploughing it with a tractor which was gathered by outsider miscreants on 23.07.2005 at about 04:00 O'clock in the evening Fulchand Chaudhary, Basant Chaudhary, Rudal Chaudhary, Mahesh Chaudhary, Gautam Chaudhary, Parmila Devi, Leela Devi, Asha Devi, Savitri Devi, Mani Devi alongwith 5-6 unknown person all of Chamaini armed with weapons and tractor came there and started sowing paddy again. When he came to know about it, he alongwith his brother Madho Chaudhary went to the said land and stopped them but Phoolchand Chaudhary and Basant Chaudhary took rifles in their hands and tried to kill them. The accused persons attacked him and his brother also. Rudal Chaudhary and Gautam Chaudhary attacked him with an axe and injured his head. Thereafter Basant Chaudhary hit his brother Mahesh Chaudhary on his head with the barrel of rifle thereafter both injured persons fell down on the ground. Thereafter the accused persons assaulted indiscriminately to them with intention of killing. When his son Kaushal Kumar and his wife Phulo Devi came to rescue his brother Madho Chaudhary they were also assaulted by the accused persons with lathi and iron rod due to which they sustained injury on head, stomach, back, arm and waist. After seeing crowd of nearby people the accused persons fled away from there thereafter the injured persons were brought to Sub Divisional Hospital, Simri Bakhtiyarpur for treatment.

7. The petitioner is in custody since 29.01.2026. The injuries suffered by the injured persons are simple in nature. The injured persons have already been discharged from the Hospital. The alleged incident had occurred due to the land dispute.

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Cont/-3  
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8. Considering the totality of the facts and circumstances a case to grant bail to the petitioner accused namely Rudhal Chaudhary is made out. Resultantly the prayer for bail is **allowed**. The petitioners be released on bail subject to their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount to the satisfaction of the learned Magistrate where the case is presently pending further subject to the conditions as laid down under Section 480(3) of the BNSS.

(Dictated)

*DS*

(Dinesh Sharma)

Principal Sessions Judge,

Saharsa

30.03.2026

|                                   |              |
|-----------------------------------|--------------|
| Date of Judgement/Order           | 30.03.2026   |
| Date of Reserving Judgement/Order | 30.03.2026   |
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