

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA
Dated, Saharsa, the 22nd July, 2026
Present:- Dinesh Sharma, Principal District & Session Judge, Saharsa
A.B.P. No. 797/2026 (Arising out of Chiraiya P.S. Case No. 9/2026)
Uday Kumar **... Petitioner Vs State of Bihar**

In the matter of :-

Uday Kumar S/o Dhaneshwar Nishad
Resident of Village Alani, P.S. Chiraiya, District Saharsa.

....Petitioner

Vs

State of Bihar

.....Opposite Party

Appearance :-

For the Petitioner :- Sri Sunil Kumar, Advocate

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

Sl. No.	Date of proceeding	Order with the signature of the court	Office action taken with date
	22.07.2026	This anticipatory bail petition has been filed on behalf of the petitioner namely Uday Kumar S/o Dhaneshwar Nishad who is apprehending his arrest in connection with Chiraiya P.S. Case No. 9/2026 registered under Sections 109(1), 191(2), 126(2), 115(2), 118(1), 117(2), 303(2) of BNS, 2023. 2. Heard the arguments of the learned counsel for the petitioner and the learned P.P. for the State. 3. It is submitted by the learned counsel for the accused petitioner that petitioner is innocent and has falsely been implicated in this case due to enmity. It is further submitted that the petitioner bears no criminal antecedent. It is further submitted that petitioner has no manner of concern with the alleged incident and the alleged section is not applicable against him. It is further submitted that Section 303(2), 109 of BNS, 2023 are added to make the case graver and non-bailable. 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 anticipatory bail to the petitioner. 4. On the other hand, the learned P.P. has opposed the prayer of anticipatory bail of the petitioner. 5. Rival submissions considered, Record perused. 6. The prosecution case as per typed report of informant Sajan Kumar is that on 17.02.2026 at about 11:00 P.M. in the night he alongwith Vikash Kumar and Adison Kumar	

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<u>Cont/</u> <u>22.07.2026</u>	were returning from the house of Gautam Kumar after having Bhoj. After coming a little distance on the road Mukesh Kumar, Rupesh Kumar, Karan Kumar and Arjun Nishad were sitting in ambush. Seeing this people returning after having dinner Rupesh Kumar fired at Sajjan Kumar by three not which passes by. Thereafter Mukesh Kumar with intention of killing assaulted on his head by iron rod due to which his head got lacerated and blood started oozing. Thereafter Karan Kumar and Arjun Nishad assaulted on the head of Vikash Kumar by iron rod due to which his head also got lacerated. On raising alarm nearby villager came there and pacified the matter. Thereafter called on Chiraiya P.S. from Mobile No. 7870697650 then at 06:30 in the morning while going to the Police Station with the injured as soon as came out the gate then suddenly all the accused persons armed with lathi, danda, three-not, khanti and brick again assaulted him. Uday Kumar assaulted Jaymala Devi due to which her leg got fractured and Ranjit Nishad and Samful Devi assaulted her mother Anjana Devi by lathi and rod. Rekha Devi took out gold ear ring worth Rs. 75,000/- from the ear of Jaymala Devi. The injured persons were treated at Sadar Hospital, Saharsa. 7. As per the supervision note there is case and counter case between the parties. The allegation of snatching of jewelry and cash is found not true. No bullet or empty khokha was found from the spot. The investigation is silent on the point of firing. The injury sustained by all the injured persons are simple in nature except injury of Jaymala Devi who has suffered fracture in lower shaft of left tibia and fibula with displacement. The injury is on the non-vital part of the body. The petitioners side have also sustained injury. The petitioners bears no criminal antecedent as mentioned in para 33 of the case diary. Five other co-accused persons have already been granted bail by this court vide order dated 10.06.2026 passed in A.B.P. No. 520/2026. The injured has already been discharged from the Hospital. 8. Considering the facts and circumstances, a case to grant anticipatory bail to the petitioner is made out.	
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Resultantly, the prayer for anticipatory bail of petitioner Uday Kumar is **allowed** and in the event of arrest or surrender of the petitioner within a period of four weeks from today, he is directed to be released on bail subject to his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties each in the like amount to the satisfaction of the learned jurisdictional Magistrate where the case is presently pending. This order is further subject to the conditions as laid down u/s 482(2) of BNSS.

(Dictated)

Sd/-

(Dinesh Sharma)

Principal Sessions Judge,

Saharsa

22.07.2026

Date of Judgement/Order	22.07.2026
Date of Reserving Judgement/Order	22.07.2026
Uploading Date	25.07.2026
Uploaded by	Sachin Kumar