

In the Court of Sessions Judge, Vaishali

B.P. No. 634/2026

1. Naresh Chaudhary, aged about 52 years S/o Ramdev Chaudhary,
2. Chandan Kumar, aged about 28 years S/o Naresh Chaudhary
Residents of village – Chakkaji Nijam, P.S. - Mahua, District – Vaishali.
:- Petitioners

Versus

State of Bihar :- O.P.

Appearance :-

Learned counsel for the petitioner : Sri Devendra Kr. Singh, Advocate
Learned P.P. for the State : Sri Shyam Babu Rai, P.P.

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order : 10th. June 2026

The regular bail petition of the above named accused petitioners has been filed u/s 483 of B.N.S.S., who are in judicial custody since 16.04.2026 in connection with **Mahua P.S. Case No. 54 of 2022**, registered u/s 147, 323, 325, 379, 307 & 504 of I.P.C..

Heard the learned counsel for the accused petitioner and learned Public Prosecutor for the State and perused the record.

It is stated in Para 2 of the bail petition that earlier anticipatory bail petition of the petitioner was rejected by this court vide A.B.P. No. 731/2022 and thereafter anticipatory bail of the petitioner was filed before the Hon'ble High Court, Patna which was withdrawn. No other bail application either anticipatory or regular has been filed on behalf of the petitioner before this court of sessions or before the Hon'ble High Court, Patna.

The prosecution case in brief as per fardbayan of the informant Manoj Kumar Chaudhary, is that on 19.01.2022 at about 8.30 A.M. the informant was at his door with his family members and in the meantime all the accused persons as named in the F.I.R. including the accused petitioners armed with lathi, danda and iron rod came and started abusing the informant. On protest by the informant, all the accused persons started committing Mar-pit with the informant and his father. During Mar-pit the informant's father sustained head injury. When the informant wanted to save his father, accused **Naresh**

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Chaudhary and Chandan Chaudhary assaulted the informant with iron rod on his head causing injury on his head and also his left hand got fractured. When the informant's brother Sudhir and Sunil came, then all the accused persons also started assaulting them and Sudhir Kumar and Sunil Kumar sustained head injury and hand of Sunil Kumar also got fractured. It is further alleged that accused Kundan Chaudhary and Chandan Chaudhary snatched chain of gold and Rs.3200/- from the neck of Sudhir Kumar. On hulla, when the nearby people assembled, they all fled away and thereafter the informant and other injured persons were brought to Mahua Hospital for treatment.

The learned counsel for the above named accused petitioners submits that the petitioners are innocent and have committed no offence and have falsely been implicated in this case. No occurrence as alleged in the F.I.R. took place. The entire prosecution case is false and concocted. Learned counsel further submits that the accused petitioner Naresh Chaudhary has lodged Mahua P.S. Case No. 84/2022 against the informant of this case and to save skin from the said case, the present case has been cooked up by the informant. No case u/s 307 I.P.C. is made out against the accused petitioners and the allegation of section 379 of I.P.C. is super addition. There is land dispute between the parties. Petitioners have no criminal antecedent. Petitioners are in judicial custody in this case since 16.04.2026. Hence, prayer has been made for bail.

The learned Public Prosecutor for the State opposed the prayer for bail.

Heard both the parties and perused the trial record and the case diary. From perusal of the trial court record and the case diary, it transpires that there is allegation against petitioners of assaulting the informant, his father and brothers with lathi, danda and iron rod, causing injuries to them.

The original and supplementary injury report of injured Narendra Prasad Chaudhary shows that he has **sustained** :-

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1. A lacerated wound on left parietal region of scalp size 1" x 1/4" x 1/4"
2. Abrasion on left knee joint size 1/2" x 1/6"

His supplementary injury report shows that all above injuries are simple in nature caused by hard blunt substance.

The original and supplementary injury report of injured Sudhir Kumar Chaudhary shows that he has **sustained** :

1. A lacerated wound on left parietal region of scalp. Size 1" x 1/4" x 1/4"
2. Swelling & tenderness on left side Jaw. . Size 2" x 1".
3. Swelling & tenderness on left wrist joint. Size 2" x 1"

His supplementary injury report shows that all above injuries are simple in nature caused by hard blunt substance.

The original and supplementary injury report of injured Sunil Kumar Chaudhary shows that he has **sustained** :

1. A swelling & tenderness on left elbow. Size 2" x 2"
2. Lacerated wound on right side of forehead. Size 1" x 1/4" x 1/4"

X-ray finding of (Lt) elbow – hairline fracture of the lower end of (Lt) humerus

CT Brain shows – No significant abnormality detected in brain.

His supplementary injury report shows that all above injury is caused by hard blunt substance and injury is grievous.

The original and supplementary injury report of injured Manoj Kumar shows that he has **sustained** :

1. Incised wound on frontal region of scalp. Size 4" x 1/4" x bone deep.

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2. Swelling and tenderness on left hand. Size 2" x 2"

3. Incised wound on left side of forehead. Size 1" x 1/4" x bone deep.

His supplementary injury report shows that injury no.1 & 3 caused by sharp object and injury no.2 is caused by hard & blunt object. The injury no.1 & 3 are simple in nature and injury no.2 is **grievous** in nature.

From the case diary, it appears that none of the injured persons except the informant has been examined by the I.O. of the case during investigation. The witnesses Rakesh Kumar, Md. Julfkar, Murlidhar Kumar, Parwati Devi and Pinku Sah in their statements in Para 7, 8, 9, 10 & 11 of the case diary have denied the allegation of offence u/s 379 I.P.C.. The dispute arose that the accused persons want to raise the wall to prevent dirty water due to which altercation followed the scuffle. It further appears that petitioners are in judicial custody in this case since 16.04.2026. The charge-sheet has been submitted against the petitioners.

Considering the aforesaid facts and circumstances of the case as well as nature of allegations and the period of custody, the regular bail petition of the petitioners is allowed. Accordingly, the above named accused petitioners are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned trial court,

(Dictated)

(Harshit Singh)
Sessions Judge, Vaishali

Date of Order	10.06.2026
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