

IN THE COURT OF SATYA BHUSHAN ARYA, SESSIONS JUDGE, BANKA

Murari Choudhary Versus State of Bihar

Anticipatory Bail Petition No. 639 of 2026

Date of filing : 06.05.2026

Date of order : 23.06.2026

In the matter of :

*Murari Choudhary son of Bageshwari Choudhary, resident of village Mirzapur,
p.s. Barahat, district Banka*

..... Petitioner

-Versus-

State of Bihar

.....Opposite Party

*Present : - Sri Pawan Kumar Yadav, Advocate for the Petitioner
Sri Hira Lal Singh, Public Prosecutor for the State*

ORDER

1. *Apprehending arrest the petitioner has preferred this pre-arrest bail application who is booked in Barahat Police Station Case No. 289 of 2025, for the offence allegedly committed under Sections 126(2), 115(2), 109(1), 324(4), 352, 351(2) of BNS, Section 27 of Arms Act.*

2. *The case of prosecution is engendered upon a gravamen filed by one Lusi Devi with the allegations that on 08.09.2025, in the late night, her denizens 1. Gopal Choudhary, 2. Murlidhar Choudhary, 3. Murari Choudhary, 4. Aakash Kumar, 5. Pritam Rai, 6. Golu Rai, 7. Tripurari Choudhary, 8. Bageshwari Choudhary, in collusion with each other armed with deadly weapons came there and by using abusive language they entered her house and started throwing household articles here and there and started beating her brother. When her brother opposed, accused Gopal Choudhary who was having pistol, fired upon her brother, resultantly he became unconscious and fell on the earth. He was taken to hospital from where he was referred to Bhagalpur Mayaganj. Thereafter, Murlidhar Choudhary and Pritam Kumar started firing indiscriminately and by using abusive language they provoked others to shoot all. The accused persons also beat up her brother-in-law.*

Originally, the case was registered under Sections 126(2), 115(2), 109(1), 324(4), 352, 351(2) of BNS, Section 27 of Arms Act but later on, the injured succumbed of the injuries and Section 103(1) of BNS was added vide order dated 19.11.2025.

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3. *In oral arguments, the learned counsel for petitioner submitted that he has falsely been implicated in this case whereas there is no allegation of any overt act against the present petitioner.*

4. *In counter, learned Public Prosecutor for the State stoutly opposed the pre-arrest bail application on the ground that firstly, this is a case of very serious nature and secondly, Murari Choudhary has been specifically named in the gravamen. It is further argued that this case is still at its nascent stage of investigation, therefore the accused does not deserve pre-arrest bail.*

5. *Heard rival submissions and perused the record. Keeping in view the seriousness of allegations as well as that the accused has specifically been named by the informant that he provoked to open firing; resultantly, one person was slayed; this court is not inclined to grant bail to the petitioner at this stage, resultantly it is dismissed.*

6. *File be consigned to the record room and that of trial court be sent back with a copy of this order.*

7. *Keeping in view the General Order no. 1 of 1991 (Criminal) dated 07.03.1991, the certified copy of FIR, if desired, be returned back to the petitioners on placing the xerox copy thereof on record.*

(Dictated)

(Satya Bhushan Arya)
Sessions Judge, Banka