

**IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BEGUSARAI**

**B.A. No. 258/2026**

**Ref:- Arising out of Mufassil P.S. Case No. 431/2024**

**Dt: 20.12.2024**

**U/S-109(1), 352, 117(2), 118(2), 3(5) of B.N.S. & 27 of Arms Act.**

**In the matter of :-**

**Naulesh Chaudhary @ Navlesh Chaudhary, S/o- Chariter Chaudhary**

**R/O: Vill.- Rajarua, Ward No. 11, Kharuva Tola, P.S-Muffasil, District-Begusarai**

**.....Petitioner**

**Vrs**

**The State of Bihar**

**.....Opposite Party**

**Present:- Rishi Kant**

Principal Sessions Judge, Begusarai

**Ld. Counsel for the petitioner:-Sri Syed Md. Mansoor Alam, Ld. Adv.**

**Ld. Counsel for the O.P. :- Ld. P.P I/C**

**Date of order:-04.04.2026**

**ORDER**

The present bail petition has been filed on behalf of above named accused/petitioner who has been in judicial custody since 30.01.2026 in connection with above mentioned case for committing of an offence u/s-109(1), 352, 117(2), 118(2), 3(5) of B.N.S. & 27 of Arms Act and the same has been put up for hearing.

Heard Learned Counsel Sri Syed Md. Mansoor Alam appearing on behalf of accused/ petitioner and Learned P.P I/C for the State.

As per FIR, the prosecution case in brief is that on 19.12.2024 informant along with his mother were at his house. In the meantime, Rajan Choudhary, Fulan Devi, Naulesh Choudhary and Bhola Choudhary came and started abusing his mother. On raising objection, accused Fulan Devi ordered to kill her. On this, Rajan Choudhary started firing indiscriminately upon her by pistol due to which his mother sustained bullet injury.

The Ld. Counsel appearing on behalf of accused/petitioner submitted that earlier on behalf of the petitioner A.B.A. No. 2264/2025 was rejected by this court and thereafter the petitioner has filed Cr.Misc.No. 88017/2025, which has been dismissed. The petitioner is quite innocent, has committed no offence, and has falsely been implicated in his case due to old enmity and village politics. There is no specific allegation against this petitioner and there is no any cogent evidence against him. The petitioner has one criminal antecedent, i.e., Excise P.S. Case No. 334/2024 in which he is on bail. Other co-accused persons, Bhola Chaudhari, Fulan Devi @ Fulen Devi and Rajan Choudhari, have been granted bail by the Hon'ble Patna High Court. Lastly, he submitted that the petitioner has been in custody since 30.01.2026, and he is ready to abide all the conditions imposed by the court, so petitioner may be released on bail.

Per contra the P.P I/C appearing on behalf of State vehemently opposed the prayer for bail, but fairly conceded that the other co-accused persons have already been granted bail by the Hon'ble Patna High Court.

Heard learned counsel for the parties and perused the case diary. As per the FIR, the allegation is that the petitioner, along with others, came to the informant's house,

abused the informant's mother, and in furtherance of the common intention, co-accused Rajan Chaudhary, on the instigation of co-accused Fulan Devi, fired a gunshot which hit the informant's mother, causing bullet injury. Upon careful consideration of the materials on record, it appears that there is no specific overt act attributed to the present petitioner. The specific allegation of firing is against co-accused Rajan Chaudhary, who has already been granted bail by the Hon'ble Patna High Court vide order dated 08.10.2025 passed in Cr. Misc. No. 69933/2025. It further appears that all other co-accused persons have also been granted bail by this Court or the Hon'ble High Court. It is also evident from Para-3 of the bail application that the petitioner has one criminal antecedent, i.e., Excise P.S. Case No. 334/2024, in which he is stated to be on bail. The petitioner is in custody since 30.01.2026.

Considering the aforesaid facts and circumstances, particularly the absence of any specific allegation against the petitioner, the period of custody undergone, and the parity with co-accused persons who have already been granted bail, I am inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail is allowed. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below, subject to the following conditions:-

1. That one of the bailors must be close relative of the accused/petitioner.
2. That the petitioner shall remain physically present till the framing of charge.
3. That the accused/petitioner undertakes that he shall not indulge in any similar nature of offence till conclusion of the trial and on failing so, court concerned shall be liberty to cancel the bail bond in present case if reported by the prosecution.

**Office is directed to send a copy of this order through e-mail to the undertrial prisoner/petitioner through the Jail Superintendent, Begusarai.**

(Dictated)

Sd/-

(Rishi Kant)

Principal Sessions Judge, Begusarai

<b>Date of Judgment/Order</b>	04.04.2026
<b>Date of Reserving Judgment/Order</b>	N.A.
<b>Uploading Date</b>	06.04.2026
<b>Uploaded by</b>	Rahul Verma