

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BEGUSARAI

B.A. No. 297/2026

Ref:- Arising out of Nayagaon P.S. Case No. 98/2025

Dt: 24.11.2025

U/S- 331(4)/305/317(2) of B.N.S.

In the matter of :-

1. Chunchun Kumar, S/o Phulena Singh

2. Prince Kumar @ Bhulla, S/o Rajeev Roy

**Both are R/o vill. Hemarpur (Sonapur Bharath), P.S. Nayagaon, Distt. Begusarai
.....Petitioners**

Vrs.

The State of Bihar

....Opposite Party

Present:- Rishi Kant

Principal Sessions Judge, Begusarai

Ld. Counsel for the petitioners :- Sri Rahul Kumar, Ld. Adv.

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

Date of order:-13.03.2026

ORDER

The present bail petition has been filed on behalf of above named accused/petitioners who have been in custody since 25.11.2025 in connection with above mentioned case for committing an offence u/s 331(4)/305/317(2) of B.N.S. and the same has been put up for hearing.

Heard Learned Counsel Sri Rahul Kumar, appearing on behalf of accused/petitioners and Ld. P.P. I/C for the State.

The prosecution case, in brief, as per the informant is that on 20.11.2025 at 02.00 a.m. gold earring, jitiya locket, nathiya and Rs. 10,000/- were stolen from the box of the informant by these petitioners and sold in a jewellery shop at Bagdov. Accordingly, the present case has been registered.

The learned counsel appearing on behalf of the accused/petitioners submits that the petitioners have not previously filed any anticipatory or regular bail application before this Court or any higher Court. It is further submitted that the petitioners are innocent, have committed no offence, and have been falsely implicated in the case. The petitioner no. 1 has no criminal antecedent and petitioner no. 2 has one criminal antecedent in which he is on bail. It is further submitted that nothing was recovered from the physical and conscious possession of the petitioners. The offence in which charge-sheet has been submitted is not made out against the petitioners. Lastly, he submitted that the petitioner have been in custody since 25.11.2025, and they are ready to comply all the conditions as imposed by this court. Therefore, they may be released on bail.

On the other hand, the learned P.P. I/C, has opposed the prayer of bail of the petitioner.

Heard the learned counsels for the parties, and perused the lower case record alongwith case diary. As per F.I.R., the allegation against the petitioners is that they stole Rs. 10,000/- and gold ornaments from the box of the informant's house. From

perusal of the case diary, it appears that the Test Identification Parade (T.I.P.) of the alleged recover articles has not been conducted during investigation. It appears that the mandatory provisions of Section 103 of the BNSS have not been complied with. Furthermore, the charge sheet has already been submitted against the petitioners, and at this stage, there is no submission on behalf of the State that the release of the petitioners is likely to result in tampering with evidence or interfering with the trial. Moreover, the petitioners have been in judicial custody since 25.11.2025.

Considering the above facts and circumstances and custody period of accused, I find it appropriate to enlarge the petitioner on bail. Accordingly, the prayer for bail is allowed. Let the petitioner/accused be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) 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 relative of the accused/petitioners.
2. That the accused/petitioners 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 the order through e-mail to the under trial prisoner/petitioners through the Jail Superintendent, Begusarai.

(Dictated)

Sd/-

(Rishi Kant)

Principal Sessions Judge, Begusarai

Date of Judgment/Order	13.03.2026
Date of Reserving Judgment/Order	N.A.
Uploading Date	17.03.2026
Uploaded by	Sohan Kumar