

In the Court of Motish Kumar Singh Principal Sessions Judge, Siwan
Bail Petition No. 238/2026
Andar P.S Case No. 26/2026

Mukesh Chaurasiya S/o- Harishankar Chaurasiya.....Petitioner
Versus
The State of Bihar.....Opposite Party.

26.03.2026

ORDER

1. Learned counsel for the petitioner moves present bail application filed on behalf of the accused-petitioner namely **Mukesh Chaurasiya**, who is in judicial custody since 06.02.2026 in connection with Andar P.S. Case No. 26/2026 registered under section 191(2), 126(2), 115(2), 109(1), 118(2), 352 of BNS and 27 Arms Act.

2. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. He further submits that no bail application of this petitioner, either regular or anticipatory, has earlier been filed or pressed before this learned court or before any other higher Court. The petitioner has got clean past. The petitioner has been languishing in custody since 06.02.2026. The entire allegations are vague, general and omnibus nature. There is no chance of his absconding or tampering with the prosecution evidence. Thus, learned counsel prays that petitioner may be enlarged on bail.

3. On the other hand, learned P.P vehemently opposes the prayer of bail.

4. Heard. Perused the record.

5. From perusal of the record, it transpires that an F.I.R in this case was registered *vide* Andar P.S Case No. 26/2026 dated 26.01.2026 was registered under section 191(2), 126(2), 115(2), 109(1), 118(2), 352 of BNS and 27 Arms Act. As per F.I.R, the informant has alleged that on 25.01.2026 at around 07:30 P.M, petitioner along with seven other co-accused persons armed with firearms, arrived on the four motorcycles and stopped on the road in front of the house of Prabhu Bhagat. It is further alleged that they inquired about the Arun Kushwaha, and all the accused-persons were saying that Arun Kushwaha has to be killed today. It is further alleged that Vishal Kumar Ram fired the first shot, which hits Arun Kushwaha, due to which he fell down. Subsequently, all the accused-persons indiscriminately opened fire, and one bullet also struck Omprakash. It is further alleged that accused-persons

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fired more than ten rounds and all the accused-persons fled away from the place of occurrence.

6. The injury reports are available with the case diary, from perusal of injury report of Arun Kushwaha, it appears that he suffered from gunshot injury of (i) Lacerated wound with inverted margin over right shoulder of size approx half inch in diameter, (ii) Lacerated wound with inverted margin over right cheek of size approx half inch in diameter, (iii) Lacerated wound with inverted margin over right side posterior aspect of neck of size approx half inch in diameter. From perusal of injury report of Om Prakash Kushwaha, it appears that, he sustained abrasion over lateral side of left upper eyelid of size approx half inch in diameter, which has been opined by the doctor as simple in nature caused by hard and blunt substance. From perusal of Para No. 35 of case diary as well as Para No. 3 of bail petition, it further transpires that petitioner bears clean antecedent.

7. Considering aforesaid fact and the fact that the petitioner is in custody since 06.02.2026, and bears clean criminal history, the present bail application is **allowed**. The petitioner is directed to be released immediately on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the Court below **with condition that the petitioner shall not repeat such offence in future. If the petitioner is subsequently found indulged in similar offences, the learned trial Court shall take steps for cancellation of his bail bond.**

(Dictated)

S/d-
(Motish Kumar Singh)
Sessions Judge, Siwan.
26.03.2026