

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6160 of 2026

Arising Out of PS. Case No.-307 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Mithilesh Yadav @ Mithun S/o Late Surendra Yadav @ Sulendra Yadav R/o
Village - Parasbanni, P.S - Banma Itahari, District - Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Subodh Kumar gupta Son of - Late Kaleshwar Pd. sah Resident of village-
Behind of Sikshak sangh school, Lakshminath Nagar ward no. 5/40 P.s.-
Saharsa , Dist- saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Chandra Mohan Jha, Advocate
For the State	:	Mr.Sanjay Kumar Tiwary, APP
For the Informant	:	Mr. Jai Prakash Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 12-05-2026 Heard learned counsel for the petitioner; learned APP
for the State and learned counsel for the informant.

2. This is the second attempt on behalf of the petitioner for grant of bail in connection with Saharsa Sadar P.S. Case No. 307 of 2024 registered for the offence under Sections under Sections 386, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Earlier the bail application of the petitioner has been rejected vide order dated 18.06.2025 passed in Cr. Misc. No. 37182 of 2025.

4. As per the FIR, the petitioner is said to have fired indiscriminately to instill fear.



5. The petitioner is in custody since 23.12.2024. While hearing this bail application, the petitioner has been released on provisional bail vide order dated 16.02.2026. He has remained in custody for one year two months.

6. Learned counsel for the petitioner submits that in the trial, almost all the witnesses have been examined and except one witness, all the witnesses have turned hostile. He further submits that the informant is also a bad character and he has falsely filed the case.

7. Learned APP for the State and learned counsel for the informant have opposed the prayer for bail.

8. Considering the period of custody, the fact that there is no complaint against the petitioner that the petitioner has tampered with the evidence or threatened the witnesses after being granted provisional bail and the fact that he is co-operating in the trial, his application for bail is allowed and accordingly, the provisional bail granted to the petitioner vide order dated 16.02.2026 is hereby confirmed. The petitioner will remain on the same bail bonds furnished by him earlier and he will co-operate in the trial.

9. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail



application and shall not prejudice the case of the petitioner at any subsequent stage of the trial and this Court has not express any opinion on the merits of the case.

(Sandeep Kumar, J)

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