

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39842 of 2026

Arising Out of PS. Case No.-190 Year-2025 Thana- MAHISHI District- Saharsa

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Bittu Yadav @ Tarzan Yadav Son of Jai Narayan Yadav Resident of Village-
Sukhasan, Ward No. 9, P.S.- Kaneria, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 27-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Mahishi P.S. Case No. 190 of 2026 registered for the alleged offences under Sections 126(2), 115(2), 109, 352, 308(2), 351(2), 351(3), 3(5) of BNS and Section 27 of the Arms Act.

03. As per prosecution case, after some minor altercation, the petitioner fired upon the informant causing firearm injury in his shoulder. The petitioner again fired upon the informant but the shot missed the informant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The informant and the petitioner are the residents of same locality and from the contents of the FIR, it is evident that there was good relationship between them. The alleged injury caused by the petitioner is not on any vital part though the nature is grievous. Nothing incriminating has been recovered from the person or possession of the petitioner. The petitioner is in custody since 16.08.2025 and charge sheet has been submitted but the trial has not proceeded any further. The petitioner is having antecedent of four cases but he is on bail in all the cases.

05. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the specific allegation against the petitioner is that he fired upon the informant and the shot might proved fatal if it had hit on any vital part. The petitioner fired again but the shot missed the informant.

06. Considering the direct and specific against the petitioner for opening fire upon the informant, I am not inclined to grant bail to the petitioner and hence, his prayer for bail is rejected.

07. The learned trial court is directed to expedite the trial and conclude the same at the earliest considering the fact



that the petitioner is in custody for about a year and it has been submitted by learned counsel for the petitioner that after submission of charge sheet, no further progress has taken place in the trial.

(Arun Kumar Jha, J)

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