

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 6th April, 2026

Present:- Dinesh Sharma, Principal District & Session Judge, Saharsa

B.A. No. 134/2026 (Arising out of Basnahi P.S. Case No. 101/2025)

Harsh Kumar @ Piyush Kumar

... Petitioner Vs State of Bihar

In the matter of :-

Harsh Kumar @ Piyush Kumar S/o Vikash Jha

Resident of Village Nonaity, P.S. Basnahi District Saharsa.

....Petitioner

Vs

State of Bihar

.....Opposite Party

Appearance :-

For the Petitioner :- Sri Upendra Jha, Advocate

For the State :- Sri Krishna Murari Prasad, Ld. P.P.

Date of proceeding	Order with the signature of the court	Office action taken with date
06.04.2026	This bail petition has been filed on behalf of the petitioner namely Harsh Kumar @ Piyush Kumar S/o Vikash Jha who is in custody since 18.07.2025 in connection with Basnahi P.S. Case No. 101/2025 registered under Sections 329(3), 109(1), 351(2), 352, 3(5) of BNS, 2026 and Section 27 of the Arms Act. 2. Heard the arguments of the learned counsel for the petitioner and the learned P.P. for the State. 3. It is submitted by the learned counsel for the accused petitioner that petitioner is in custody since 18.07.2025. It is further submitted that petitioner bears no criminal antecedent. It is further submitted that petitioner is quite innocent and has committed no offence and he has falsely been implicated in this case. It is further submitted that co-accused namely Sanoj Paswan has allowed bail by this court in R.B.A. No. 718/2025 and the case of petitioner stands on same and similar footing. It is further submitted that petitioner is a man of means and there is no chance of his absconding or tampering with the evidence and he is ready to furnish sound sureties to the full satisfaction of the court. Upon these grounds, the learned counsel prays to grant bail to the petitioner. 4. On the other hand, the learned P.P. has	

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vehemently opposed the prayer of bail.

5. Rival submissions considered, Record perused.

6. The prosecution case, in brief, is that the informant Chhotelal Mukhiya S/o Budhan Mukhiya is permanent resident of Atalkha, Ward No. 6, P.S. Basnahi, District Saharsa. He has bought a mango orchard in village Nonaiti and the same is situated near Nonaiti School. On 14.06.2025 at about 01:00 in the night Sanoj Paswan s/o Ghanshyam Paswan and Harsh Kumar Jha S/o Vikash Jha both resident of Nonaiti, P.S. Basnahi, District Saharsa alongwith three unknown persons armed with weapons and sacks in their hands. When he and his father tried to catch them then Sanoj Kumar and Harsh Kumar Jha fired twice upon him with intention of killing. They somehow managed to escape and save their lives. The accused persons are stubborn people and they have threatened to kill. Five days ago, five sacks of mangoes were also plucked from my garden.

7. The petitioner is in custody since 18.07.2025. As per the order of Juvenile Justice Board, Saharsa on the date of incident, the petitioner was more than 18 years of age. Therefore the application is maintainable before this court. Co-accused Sanoj Paswan with similar allegation have already been granted bail by the learned predecessor vide order dated 23.09.2025 passed in R.B.A. No. 718/2025. The petitioner bears no criminal antecedent as per para 3 of the bail application whereas as per para 36 of the case diary petitioner bears criminal antecedent of one case i.e. Basnahi P.S. Case No. 86/2025. No one sustained any injury.

8. Considering the totality of the facts and circumstances and considering the ground of parity, a case to grant bail to the petitioner accused namely Harsh Kumar @ Piyush Kumar is made out. Resultantly the prayer for bail is **allowed**. The



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petitioner be released on bail subject to his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties in the like amount to the satisfaction of the learned Magistrate where the case is presently pending further subject to the conditions as laid down under Section 480(3) of the BNSS.

(Dictated)


(Dinesh Sharma)
Principal Sessions Judge,
Saharsa
06.04.2026

Date of Judgement/Order	06.04.2026
Date of Reserving Judgement/Order	06.04.2026
Uploading Date	08-04-26
Uploaded by	Javed Haidar