

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 05th May, 2026

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

B.A. No. 210/2026 (Arising out of Saharsa P.S. Case No. 1385/2025)

Shashibhushan @ Yash

... Petitioner Vs State of Bihar

In the matter of :-

Shashibhushan @ Yash S/o Mahesh Sah @ Gholat Sah

Resident of Village Sapaha, Ward No. 14/15, P.S. Baijnathpur, 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
05.05.2026	This bail petition has been filed on behalf of the petitioner namely Shashibhushan @ Yash son of Mahesh Sah @ Gholat Sah who is in custody since 13.02.2026 in connection with Saharsa Sadar P.S. Case No. 1385/2025 registered under Sections 126(2), 127(2), 115(2), 118(1), 109, 61(2), 140(3), 3(5) of BNS 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 13.02.2026. It is further submitted that petitioner is quit innocent has falsely been implicated in this case. It is further submitted that petitioner bears criminal antecedent of ten cases. It is further submitted that the alleged sections are not applicable against the petitioner. It is further submitted that Sections 140(3), 109 and 61(2) of BNS which are added to make the case case graver. It is further submitted that petitioner is a man of means and there is no chance of his absconding or tampering with the evidence in this case 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 petitioners. 4. On the other hand, the learned P.P. has opposed the prayer of bail. 5. Rival submissions considered, Record perused. 6. The prosecution case, in brief, is that as per the	

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typed report of informant Niraj Kumar is that he has recorded his statement before the police Officer at Sadar Hospital Saharsa is that on 15.12.2025 at about 13:20 he went to his house situated at Gautam Nagar and when he reached near Patliputra Public School then three youths riding on one Apachi motor-cycle without number plate came there and stopped him and said to sit the motor-cycle when he objected then one of the youth pointed pistol upon him but he identified the accused and his name was Shashibhushan @ Yash Sah S/o Mahesh Sah @ Gholat Sah resident of Sapha Ward No. 5, P.S. Baidhnathpur, District Saharsa and he also stated him that he quarreled with his brother and he told him that he did not quarrel with his brother on which the accused pointed pistol upon him and fired with intention of killing but he bent his body and the said bullet passes above his head. He assaulted on his head by the kunda of pistol due to which his head got lacerated and blood started oozing. Until he recover the accused again loaded one bullet in his gun and also sat him on his bike and the another accused wrapped clothes and kidnapped him. They assaulted many times at his jaw and also assaulted at the lonely place situated at Tilave Railway Bridge and Shashibhushan @ Yash called his elder brother Ravishanker and he questioned him that when did his fight with him and he did not any reply and ordered his brother Shashibhushan @ Yash and his other two friends to kill him on which all the three accused beaten him with iron pillas and fighter due to which he fell down thereafter Shashibhushan @ Yash fired upon him with intention of killing and the said bullet passes near the neck. Thereafter he became unconscious and they went away from there thinking he was dead. After some time he regained consciousness then he went near Railway line from the forest and called his friend Anshu Raj and whereafter with the help of family members he brought to Sadar Hospital, Saharsa for treatment and where he is under treatment.

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He was assaulted by Shashibhushan @ Yash and he removed his mask on his face at the time of assault.

7. The petitioner is in custody since 13.02.2026. The injured who is only 19 years old suffered grievous injury. In para 34 of the case diary as per the statement of the informant he is seen being taken by the accused persons on a motor-cycle. The petitioner is having criminal antecedent of 11 cases as mentioned in para 67 of the case diary.

8. Considering the facts and circumstances of the case and more particularly the criminal antecedent of the petitioner, this court is not inclined to grant bail to the petitioner. Resultantly the instant regular bail application filed by the petitioner Shashibhushan @ Yash is hereby **rejected**.

(Dictated)

Dinesh Sharma

(Dinesh Sharma)

Principal Sessions Judge,

Saharsa

05.05.2026

Date of Judgement/Order	05.05.2026
Date of Reserving Judgement/Order	05.05.2026
Uploading Date	07-05-26
Uploaded by	Javed Haidar