

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50831 of 2025

Arising Out of PS. Case No.-90 Year-2024 Thana- Shahartelpa P.S. District- Arwal

Ishawari Kumar S/O Pappu Sao Resident Of Village- Kalbalia Bigha, PS-
Shahpur Telpa, Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.
For the Informant : Mr. Ranvijay Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-09-2025 Heard learned counsel for the petitioner, informant
learned A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
Shahar Telpa P. S. Case No. 90/2024 in a case registered for the
offences punishable under Sections 126(2), 115(2), 103(i), 3(5)
of the Bharatiya Nyaya Sanhita.

3. As per F.I.R., this petitioner along with other named
accused persons, assaulted husband of the informant with slaps
and fists. It is further alleged that co-accused Neelam Devi and
Chintu Kumar sat over his stomach and assaulted him as a result
of which he died during course of treatment.

4. Learned counsel for the petitioner submits that
allegation of assault is general and omnibus. From bare perusal



of the post-mortem report it is apparent that cause of death is strangulation due to Asphyxia. It is further submitted that similarly situated co-accused persons have already been granted regular bail by co-ordinate Bench of this Hon’ble Court *vide* order dated 27.02.2025 passed in Cr. Misc. No. 80288 of 2024. Petitioner claims clean antecedent. He is nephew of the deceased and is in custody since 17.03.2025.

5. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case and period of custody, the bail application is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Arwal in connection with Shahar Telpa P. S. Case No. 90/2024.

(Prabhat Kumar Singh, J)

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