

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71180 of 2025

Arising Out of PS. Case No.-182 Year-2025 Thana- SANGRAMPUR District- East
Champaran

Utsav Kumar S/O Lalbabu Singh R/O Village- Bhawanipur, Gausnagar, Ward
No.1, P.S.- Sangrampur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-10-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 126(2),
115(2), 103, 352 and 3(5) of the BNS.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that his brother works as a labourer of accused Setu
Sahani and on 21.05.2025 his brother at 03:00 p.m. had gone to
the house of Setu Sahani to demand his wages but Setu Sahani
called the accused persons including the petitioner and assaulted
his brother after tying him with rope. Further, his brother
informed about the occurrence on phone when his mother went
to the place of occurrence but the aforesaid accused persons



assaulted and strangled her to death.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that it absolutely does not stand to reason that had the accused persons including the petitioner been assaulting the brother of the informant in that event they would not have allowed him to call on phone and inform the informant or his family members. It is next submitted that mother of the informant was an old lady and she died a natural death. It is also submitted that at para 10 of the anticipatory bail application, it has been specifically pleaded that in the postmortem report, no external injury was found. It is submitted that the police after investigation found the case true under Section 105 BNS, i.e., culpable homicide not amounting to murder. It is further submitted that this amply demonstrates the conduct of the informant as to what kind of a son he is i.e. after the natural death of his mother he took the same as an opportunity to exploit the accused persons including the petitioner. It is submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Sangrampur P.S. Case No. 182 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Satyavrat Verma, J)

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