

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74160 of 2025

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

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Setu Kumar @ Sethu Sahani S/o Late Raju Sahani @ Rajeshwar Choudhary
R/O Vill.- Manglapur Mushahari Tola, P.S.- Sangrampur, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar
For the Opposite Party/s : Mr.Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-11-2025 Heard learned counsel for the petitioner and learned
counsel 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 Bhartiya Nyaya Sanhita, 2023.

3. The prosecution case, in brief, is that the brother of
the informant, namely Dilip Kumar, was working as a labourer
with the petitioner. On 21.05.2025, at about 3:00 p.m., he went
to the house of the petitioner and demanded his due wages,
whereupon all the accused persons named in the FIR, including
the petitioners, abused and brutally assaulted him. Thereafter,
the brother of the informant informed his mother about the said
incident. Subsequently, the mother of the informant went to the



house of the accused persons, where all the accused persons named in the FIR including the petitioner brutally assaulted her and committed murder by pressing her neck.

4. Learned counsel for the petitioners submits that informant is not an eye-witness to the occurrence and on account of previous enmity, petitioner has been falsely implicated in this case. Though, there is specific allegation that petitioner along with other accused persons assaulted and committed murder of the deceased, but in the postmortem report no external injury was found on the person of the deceased and cause of death is mentioned as cardiac arrest due to rupture of posterior wall of heart. Petitioner claims clean antecedent.

5. Considering the facts aforesaid and the clean antecedent of the petitioner and the fact that cause of death is cardiac arrest due to rupture of posterior wall of heart, let the above-named petitioner, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Sangrampur P.S. Case No. 182 of 2025, subject to the conditions as laid down under Section 482 of the Bhartiya



Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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