

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24798 of 2016

Arising Out of PS.Case No. -90 Year- 2015 Thana -SAHIYARA District- SITAMARHI

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Yogi Thakur, S/o Jhulafi Thakur, resident of Village - Ghogharah Tola,
P.S.- Sahiyara, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Virendra Kumar, Advocate.

For the Opposite Party/s : Mr. Rajendra Singh Shastri Jee, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 11-08-2016 Heard both sides.

The petitioner apprehends his arrest in Sahiyara P.S.
Case No. 90/2015 registered under Sections 302, 201/34, 120(B)
of the Indian Penal Code.

The brother of the deceased alleged that his sister
was married to Rambali Singh fifteen years ago and his sister had
three children. The informant came to know that his sister had
developed illicit relation with Shambhu Thakur, son of the
petitioner, and a Panchayati was held thereafter. The brother-in-
law of the informant's sister, the petitioner and others killed the
sister of the informant and cremated her dead body. It is submitted
that the petitioner has no manner of concern with the occurrence.



The deceased was married with Rambali Singh and the son of the petitioner is alleged to have illicit relation with the deceased and for that a Panchayati was held. During the course of investigation it has come that the deceased had committed suicide and the police, after investigation, submitted the chargesheet under Section 306 of the Indian Penal Code against Shambhu Thakur but the learned court below took cognizance under Section 302 and other sections of the Indian Penal Code against all the accused persons. It is submitted that there is absolutely no evidence against the petitioner.

The learned A.P.P. has, however, opposed the prayer for anticipatory bail and submitted that the dead body of the deceased was found in her house and the villagers say that she had committed suicide and thereafter the dead body was disposed of.

Considering the facts aforesaid and the fact that the petitioner is the father of Shambhu Thakur, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to 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 A.C.J.M., Sitamarhi in Sahiyara P.S. Case No. 90/2015,

subject to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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