

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6432 of 2018

Arising Out of PS. Case No.-18 Year-2017 Thana- SALKHUA District- Saharsa

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1. Brahmdeo Thakur, Son of Paro Thakur,
 2. Rohit Thakur,
 3. Sohit Thakur @ Sonit Thakur,
 4. Mohit Thakur @ Karan Kumar, petitioner nos. 2,3 and 4 are Sons of Brahmdeo Thakur,
 5. Indradev Thakur @ Gholat Thakur, Son of Late Kaleshwar Thakur, All Resident of Village-Puraini, Police Station-Salkhua, District-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Masleh-uddin Ashraf

For the Opposite Party/s : Mrs. SUMAN KUMARI SINGH

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-02-2018 Heard learned counsels for the petitioners and State.

The petitioner nos. 1 and 5 being the cousin brother of the husband of the victim and petitioner nos. 2 to 4 being the sons of petitioner no.1 are apprehending arrest in a case registered for the offences punishable under Sections 302 and 201/34 of the IPC.

The prosecution case, as per the fardbeyan of Anil Kumar, recorded on 27.01.2017 by Station House Officer, Salkhua Police Station is to the effect that the informant's sister Shanti Devi was married with Domi Thakur @ Chhotu Thakur about ten years prior to the lodging of the present case. On



27.01.2017, the informant came to know that his sister, Shanti Devi, nephew Satyam Kumar and niece Sonam Kumari have disappeared. Thereafter, informant went to the in-laws village of his sister and during search the dead body of three persons, in semi burnt condition, was found, which was kept concealed in the fodder room of in-laws of the sister of the informant. It is alleged that the husband of the victim, Domi Thakur has illicit relationship with his cousin sister-in-law, Rinki Devi, which was protested by the sister of the informant. The informant had also informed her mother about the illicit relationship of her husband with Rinki Devi, as a result of which, the entire in-laws family of the victim in connivance with the petitioners killed the sister of the informant and her two children.

It is submitted by learned counsel for the petitioners that the accusation is specific against the husband of the victim and his sister-in-law, Rinki Devi. The petitioners are cousins of the husband of the victim and they claim to be separate from the husband of the victim. The father-in-law of the victim has been granted privilege of anticipatory bail by a co-ordinate Bench of this Court, vide Cr. Misc. No. 30122 of 2017 and the husband of the victim is in custody. A statement has been made in paragraph no.3 of the petition that petitioner nos. 2 to 5 are not having any



criminal antecedent. Though, petitioner no.1 is accused in one other case also, but in that case, he is on bail.

Learned APP submits that three persons have been killed and the petitioners are named in the FIR.

Considering the fact that thrust of accusation is against the husband of the victim and his sister-in-law, Rinki Devi and the petitioners claim to be separate from the husband of the victim, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-II, Saharsa in connection with Salkhua P.S. Case No. 18 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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