

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32824 of 2019

Arising Out of PS. Case No.-44 Year-2019 Thana- JOGAPATTI District- West Champaran

1. Madan Thakur, aged about 50 years, Male, Son of Late Maharaj Thakur
2. Jitendra Kumar @ Jitendra Thakur aged about 20 years, Male, Son of Nand Kishor Thakur
3. Sumitra Devi, aged about 47 years, Female, Wife of Madan Thakur
4. Ramesh Thakur aged about 45 years, Male, Son of Maina Thakur
All Resident of Village - Pipara Naurangiya, P.S.- Jogapatti, District - West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjeev Kumar, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 14-08-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 302 and 201/34 of the Indian Penal Code registered in connection with Yogapatti P.S. Case No. 44 of 2019.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be variously related to the husband of the deceased. The deceased was married with petitioner no.1's younger brother, namely, Kishore Thakur about 27 years ago and had 5 children from the wedlock, of which the eldest son, petitioner no. 2, was given in adoption to petitioner no. 1 and his wife (petitioner no. 3) while they were issueless. It is submitted that no specific overt act has been alleged against the petitioners nor are there any eye-witnesses to the occurrence. Petitioner no. 4 is the



neighbour and had no concern with the family members of the other petitioners or the deceased.

4. Learned APP, on the the hand, refers to paragraph 6 of the case diary containing the statement of Chandeshwar Thakur in which he has supported the prosecution story that the husband of the deceased Kishore Thakur had developed illicit relationship with his Bhabhi (petitioner no. 3) and upon protest made by the deceased, she was killed by the accused persons.

5. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant anticipatory bail to the petitioners. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

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