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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11977 of 2015

Arising Out of PS.Case No. -20 Year- 2015 Thana -CHAPRA TOWN District- SARAN

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1. Arti Verma @ Arati Verma Wife of Manoj Kumar
2. Manoj Kumar So of Late Gulab Chand Prasad Resident of Mohalla - East Dahiyawan, P.O.- Chara, P.S.- Chapra Town, District - Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ved Prakash Srivastva
For the Opposite Party/s : Mr. Rita Verma (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

3 28-04-2015 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State and learned counsel for the informant.

Petitioners apprehend their arrest in connection with Chapra Town P. S.Case No. 20 of 2015 registered for the offences punishable under Sections 420, 467, 468, 471, 406/34 of the Indian Penal Code.

Admittedly, petitioner no. 1 is daughter-in-law and petitioner no. 2 is son of the informant. It is alleged that petitioners got prepared forged death certificate of husband of the informant and other documents with intent to grab the property of the informant. The informant originally filed case no. 2337 of 2014

which was converted into police case furthermore, it is an admitted position that the informant has filed partition suit against the petitioners as well as other sons.

The contention on behalf of the petitioners is that three fold allegations have been leveled against the petitioners. Firstly, it is stated that they got issued forged death certificate of husband of the informant Secondly, they got executed forged deed agreement and thirdly, they withdrew Rs. 4 lacs from the account of the informant.

Learned counsel for the petitioners submits that the death certificate of father of petitioner no. 2 was issued by Chapra Nagar Parished after death of his father and therefore, it cannot be said that the aforesaid death certificate is a forged document. Similarly, the deed of agreement is a subjudiced matter in partition suit and so far as, withdrawal of Rs. 4 lacs is concerned, the informant has admitted that she had issued cheque in the name of petitioner no. 1.

On the other hand, learned counsel appearing for the informant refuted the above stated submissions arguing that petitioner no.2 got prepared forged deed of agreement and got electric meter installed in his name as well as got issued Tin number in his favour.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Chapra in Chapra Town P.S.Case 20 of 2015, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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