

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18330 of 2017

Arising Out of PS.Case No. -167 Year- 2016 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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Ranjit Kumar, Son of Late Madan Mohan Mandal Resident of Mohalla -
Mirjapur, Professor Colony, P.S. Nawada, District Nawada.

.... Petitioner.

Versus

1. The State of Bihar.
 2. Sihanta Devi, Daughter of Shri Bhuneshwar Ram Resident of Mohalla -
M.D.S. 19/148, Hospital Colony, Rajrappa, P.S. - Rajrappa, District -
Ramgarh (Jharkhand). Opposite Parties.
- =====

Appearance :

For the Petitioner : Mr. Rajesh Kumar Mishra, Adv.

For the State : Mr. Dinesh Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 15-06-2017

Heard learned for the petitioner and learned A.P.P.

for the State.

The petitioner apprehends his arrest in Complaint
Case No.167/2016 registered under Sections 420 and 471 of the
Indian Penal Code.

As per the prosecution case, the petitioner happens to
be the husband of the informant. He got a divorce decree passed
against her by impersonating some other lady in her place and
getting her forged signature.

It has been submitted by learned counsel for the
petitioner that the petitioner has committed no offence and has
been falsely implicated in this case. Though, as per the
prosecution case, the petitioner has allegedly played fraud before
the learned Principal Judge, Family Court, Nawada, so it is the



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Principal Judge, Family Court, Nawada who may file a complaint after making an enquiry in the matter and the complainant who happens to be the private person, has no *locus standi* to file such complaint and the same is not maintainable in the eye of law. It has been further submitted by learned counsel for the petitioner that the complainant herself turned up before the learned Principal Judge, Family Court and got a decree of divorce passed by giving her consent.

Considering the facts aforesaid and the nature of allegation as made against the petitioner, 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.10,000.00 (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Nawada in Complaint Case No.167/16, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prakash Chandra Jaiswal, J.)

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