

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21854 of 2018

Arising out of P.S.Case No. -3232 Year- 2014 Thana -COMPLAINT CASE District- ARRARIA

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1. Nagendra Paswan @ Nageshwar Paswan, son of late Chalitar Paswan, resident of village- Ashimpur, P.S. Samastipur, District- Samastipur, the then Block Development Officer, Araria, District- Araria.
 2. Sadanand Ram, son of late Muneshwar Ram, resident of village- Jalalgarh, East of N.H. Over Bridge, P.S. Jalagarh, District- Purnea, the then Panchayat Secretary, Gram Panchayat, Gera, P.S. Araria, District- Araria, and presently posted as Panchayat Secretary, Gram Panchayat, Bir Nagar (Bishariya), East , Block- Bhargawan, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Tafezul, son of Md. Nuhu, resident of village- Sandalpur, Gram Panchayat, Gaira, P.S. and Block- Araria, District- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anita Kumari, Advocate

For the Opposite Party/s : Mr. Manish Kumar 2, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 26-06-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Complaint Case No. 3232C of 2014** instituted for the offence under Sections 420, 406, 468, 471 and 120(B) of the Indian Penal Code.

The allegation against the petitioners is that they being the Panchayat Secretary and the then B.D.O. issued forged death certificate of the complainant, on the basis of which, the wife of the complainant Bibi Sajeda started withdrawing widow pension.



Learned counsel for the petitioners has submitted that payment of widow pension to the wife of the complainant was stopped when it was brought to the notice that the complainant is alive.

The complainant has alleged in the complaint petition that his wife filed a case under Section 498A of the Indian Penal Code. She started living separate from the complainant. In spite of Panchayti, she did not become ready to live with the complainant. She in connivance with the petitioners got forged death certificate of the complainant and applied for widow pension. The widow pension was sanctioned in the name of wife of the complainant vide PPO Account No. 55/2010-11 on the basis of aforesaid death certificate. She got the first installment on 10.09.2011 through Post Office Account No. 24801596. It is alleged that on the basis of aforesaid documents, public money was withdrawn. It is also alleged that wife of the complainant on the one hand has got death certificate issued for obtaining benefit of widow pension and on the other hand, she is contesting Complaint Case No. 2157 of 2009 filed against the complainant.

In such circumstances, there is specific allegation against the petitioners of issuing forged death certificate of complainant although complainant is alive.



Therefore, this Court is not inclined to grant anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners stands rejected.

Petitioners may surrender before the court below and make prayer for regular bail.

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(Sanjay Priya, J)

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