

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43196 of 2019

Arising Out of PS. Case No.-250 Year-2018 Thana- GARKHA District- Saran

KALAWATI DEVI W/o Raj Narayan Ray R/o village- Pohiya, P.S.- Garkha,
District- Saran, Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Giri
For the Opposite Party/s : Mr.Raj Ballabh Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 12-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends her arrest in connection with Garakha P.S. Case No.250 of 2018 registered under Sections 420, 467, 471 and 472/34 of the Indian Penal Code, pending in the court of the Additional Chief Judicial Magistrate-XIV, Saran at Chapra.

The accusation is that for the execution of warrant of arrest issued against 5 persons, named in the F.I.R., including the petitioner in connection with Trial No.146 of 2017 from the court of the Additional Chief Judicial Magistrate-IV, Saran, Chapra, the informant along with other police personnel, reached at village-Pohiya, where the co-accused Raj Narayan



Ray, who was present there, was apprehended and he showed the surrender certificates of all the accused but stamp over the surrender certificates was not visible, due to that reason Raj Narayan Ray was produced before the court along with all the surrender certificates including the surrender certificate of the petitioner, which were found forged and Raj Narayan Ray was remanded in the case.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is lady and the wife of the co-accused Raj Narayan Ray. She had no knowledge about creating of the forged surrender certificate of the court by her husband Raj Narayan Ray. Further submission is that the co-accused Raj Narayan Ray has already been granted bail by a Bench of this Court vide order dated 27.03.2019 passed in Criminal Misc. No.16069 of 2019.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered



by the trial court in accordance with law without being
prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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