

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3053 of 2021

Arising Out of PS. Case No.-1770 Year-2015 Thana- GAYA COMPLAINT CASE District-
Gaya

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YASHODA DEVI W/o Late Chandra Dev Prasad Resident of Mohalla- Babni
Ghat, near Senjee Thakur Bari, P.S.- Civil Lines, Gaya, Distt- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krishna Kumar Singh Son of Sri kapil Dev Singh Resident of Mohalla-
Satendra Nagar, Road No.2, P.S.- Aurangabad, Distt- Aurangabad, at present
mohalla- West Ram Sagar Tank, P.S.- Civil Lines, Distt- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Md. Javed Jafar Khan, Adv.
For the Opposite Party/s	:	Mr. APP
For the O.P. No. 2	:	Mr. Dayanand Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 02-02-2022 Heard Mr. Javed Jafar Khan, the learned counsel

for the petitioner and Mr. Dayanand Singh, the learned

counsel for opposite party no. 2. The State is represented by

the learned APP.

The petitioner seeks bail in anticipation of her

arrest in connection with Complaint Case No. 1770 of 2015

(Trial No. 1396 of 2019) in which cognizance has been

taken under Sections 420 and 34 of the Indian Penal Code.

The petitioner was granted provisional bail by order

dated 14.12.2021 on the strength of a memorandum of



agreement disclosing composition of the offence. Simultaneously, notice was also directed to be issued to complainant/ opposite party no. 2.

Mr. Dayanand Singh, the learned counsel for the complainant / opposite party no. 2 has submitted that the opposite party no. 2 had never signed on the memorandum of agreement, compounding the case and it appears that his signature has been forged.

The learned counsel for the petitioner, on the other hand, has drawn the attention of this Court to an order passed by the learned Judicial Magistrate -1st Class, Gaya on a complaint preferred by one of the signatories to the aforesaid memorandum of agreement for composition of the case, namely, Kumari Rashmi, who had alleged that her signature in the document had been forged. The court vide order dated 04.01.2020 found that the accusation could not be successfully made out and dropped the proceedings.

Mr. Dayanand Singh, however, has submitted that against that order, aforesaid Kumari Rashmi has preferred a Revision petition before the Sessions Judge in which notice



has been issued to the petitioner herein.

In any view of the matter, the provisional bail granted to the petitioner is hereby confirmed.

The petitioner shall remain on the same bail bonds.

In case it is found in the Revision petition that the signature of the any one of the persons including opposite party no. 2 or Kumari Rashmi is found to be forged and fabricated, it would be open for O.P. No. 2 to approach this Court for cancellation of bail granted to her.

The petition stands allowed.

(Ashutosh Kumar, J)

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