

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50319 of 2022

Arising Out of PS. Case No.-18 Year-2022 Thana- MUFFASIL District- West Champaran

Shabbo Khatoon W/O Late Suresh Raut, D/O Barkatullah Mian Resident of Mohalla- Bhola, M.P. Chowk Jagjivan Nagar, Ward No- 27, Bettiah Muffasilm Bettiah Town District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lilawati Devi W/O Late Suresh Raut Resident of Jagjivan Nagar, Ward No- 27, Bettiah Muffasil, Bettiah Town District- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-10-2022 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Bettiah Muffasil P.S. Case No. 18 of 2022 registered for the offence under Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 23.06.2022.

The allegation against the petitioner is to create a forged document as death certificate of the husband of the



informant/complainant, for the purpose of cheating.

Learned counsel appearing on behalf of the petitioner submitted that implication is completely false, as matter is related with family property dispute. It is submitted that it is an admitted position, where the husband of informant/complainant also solemnized marriage with the petitioner and, as such, the allegation to create a forged document is not sustainable on its face. It is further submitted that said marriage was solemnized in the year 2010, where on the basis of report of Circle Officer, a residential certificate was issued in favour of son of this petitioner, born out of said marriage. While concluding the argument, it is submitted that on the basis of alleged forged document, no financial transaction was made, where petitioner is a lady and, moreover, investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as no financial transactions alleged to be done on the basis of alleged forged document, where petitioner is a lady coupled with the fact that charge-sheet has already been



submitted, let the petitioner, above named, is directed to be released on bail in connection with Bettiah Muffasil P.S. Case No. 18 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran/concerned court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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