

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10541 of 2023

Arising Out of PS. Case No.-597 Year-2015 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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JAYANTI DEVI Wife of Late Chandrika Singh Resident of village - Basatpur,
P.S.- Madanpur, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mahesh Singh Son of Late Mathura Singh Resident of village - Parsa, P.S.-
Badem Outpost (Navinagar), District - Aurangabad (Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-06-2023 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under sections 420, 467, 468, 406 and
120 B of the Indian Penal Code, 1860.

It is alleged that the sister of the complainant namely
Late Parwati Devi was married to Chandrika Singh but she was
childless as such Chandrika Singh solemnized another marriage
with Jayanti Devi (petitioner). The father of Parwati Devi
executed sale deed of 2 acre land in favour of Parwati Devi. It
is alleged that forged LPC was procured by impersonation in
place of Parwati Devi by the accused persons and on that basis



they sold the land.

It is submitted by the learned counsel for the petitioner that petitioner is innocent and has falsely been implicated in this case. The alleged occurrence occurred on 05.06.2012 and thereafter on 07.06.2012 but the complaint filed on 26.06.2015, after the lapse of more than three years. Unexplained delay in lodging the complaint casts serious doubt over the entire prosecution. It is also apparent from complaint petition that specific allegation is against the co-accused namely Vinay Singh and late Chandrika Singh who wrongly registered land of late Parvati Devi in name of other co-accused person and the petitioner is only alleged to be present at the place of occurrence. Hence, no case under Sections 406, 420, 467, 468 of I.P.C is made out against the petitioner. Petitioner claims clean antecedent.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with



two sureties of the like amount each to the satisfaction of the learned Chief Magistrate, Aurangabad (Bihar) in connection with Complaint Case No. 597 of 2015, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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