

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66158 of 2022

Arising Out of PS. Case No.-247 Year-2021 Thana- LALGANJ District- Vaishali

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1. KANCHAN DEVI W/O Ajay Sah @ Ajay Kumar Sah R/O Village-
Chimanapur, P.S- Lalganj, District- Vaishali
 2. RAHUL KUMAR S/O Ajay Sah @ Ajay Kumar Sah R/O Villlage-
Chimanpur, P.S- Lalganj, District- Vaishali
 3. ANIL KUMAR S/O Ajay Sah @ Ajay Kumar Sah R/O Village- Chimanpur,
P.S- Lalganj, District- Vaishali

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Srinandan Pd.Singh, Senior Advocate Mr.Manoj Kumar No.1, Advocate
For the Opposite Party/s :		Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-04-2023 Heard learned counsel for the petitioners and the

State.

Petitioners apprehend their arrest in a case registered

for the offence punishable under Sections 302, 120B/34 of the

Indian Penal Code.

Prosecution's case in short is that co-accused Ajay Sah

in conspiracy with other accused persons including these

petitioners executed forged and fabricated sale deed in favour of



co-accused Manoj Kumar showing therein that Kaushalya Devi, mother of said Ajay Sah died, for which a complaint case was lodged. Meanwhile, Ajay Sah with aid of other accused persons killed his mother Kaushalya Devi to prove his kewala showing his mother dead.

Learned counsel appearing for the petitioners submits that the complainant is not eye witness of the occurrence and no such occurrence has taken place as narrated in the complaint. Only due to land dispute, petitioners have been made accused in the false and fabricated case. Moreover, specific accusation is against co-accused Ajay Sah and no specific overt act has been alleged against these petitioners. Petitioners have been made accused in this case because they happen to be wife and sons of the said Ajay Sah.

Considering the nature of allegation against the petitioners, in the event of arrest/surrender within six weeks from today, let the petitioners, named above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate IX, Vaishali at Hajipur in Lalganj Police Station Case No. 247 of 2021/ Complaint Case No. 1883 of 2019, subject to the conditions laid down under



sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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