

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4650 of 2023

Arising Out of PS. Case No.-67 Year-2022 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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1. Kiran Devi Wife Of Ashok Kumar Srivastava R/V- Kalambagh Road, Pankha Toli, Lichi Gachhi, P.S.- Kazi Muhammadpur, District- Madhubani
 2. Ashok Kumar Srivastava Son Of Late Baldev Srivastava R/V- Kalambagh Road, Pankha Toli, Lichi Gachhi, P.S.- Kazi Muhammadpur, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Kazi Muhammadpur P.S. Case No. 67 of 2022 registered under sections 323, 406, 420, 467, 468, 504, 120B and 34 of the Indian Penal Code.

The prosecution case as per FIR is that the father and uncle of the informant purchased some land in their favour. Later on, the aunt of the informant transferred her part of land to the informant since she was issueless. It is alleged against the petitioners that by showing forged and fabricated documents, the petitioner No.1 claimed herself to be the daughter of Vaidehi



Devi (aunt of the informant) and thereby in connivance with the officials of the registry office, they made an attempt to grab the land which was transferred by the aunt of the informant in his favour.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. It is a case of civil in nature for which criminal prosecution has been initiated against the petitioners. It is further submitted from para-7 of this petition that it is evident that the case of rent fixation vide Case No. 138/2011-12 and 26/2016-17 was allowed in favour of petitioners by DCLR East, Muzaffarpur, who is competent authority and it appears that informant had not challenged the order passed by DCLR, Muzaffarpur and he has filed the present case in place of civil suit. It is also submitted that the petitioner no.1 was adopted as daughter by the Vaidehi Devi and both the petitioners had been living with her for several years and looked after her all the time because she was issueless. Moreover, they are languishing in judicial custody since 05.08.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and



considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Kazi Muhammadpur P.S. Case No. 67 of 2022 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, (East) Muzaffarpur.

(Sunil Kumar Panwar, J)

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