

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17440 of 2024

In
CRIMINAL MISCELLANEOUS No.67345 of 2022

Arising Out of PS. Case No.-524 Year-2022 Thana- SIKARPUR District- West Champaran

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Shobha Devi WIFE OF DINESH RAM RESIDENT OF VILLAGE-
POKHARIYA, PS- SHIKARPUR, DISTT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priyanka Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-08-2024 Heard Ms. Priyanka Singh, learned counsel

appearing on behalf of the petitioner and Mr. Sanjay Kumar

Tiwari, learned APP for the State.

2. The petitioner has filed present application for
modification of order dated 17.05.2023 passed in Criminal
Miscellaneous No. 67345 of 2022, by which learned District
Court was directed to obtain FSL report with respect to the
genuinity of the signature of the petitioner on the cheque in
question and if it is found that the signature does not match with
the signature, as has been made on the said cheque, the
petitioner was directed to be released on pre-arrest bail.

3. Learned counsel appearing on behalf of the
petitioner submitted that in compliance of order dated



17.05.2023, passed in Criminal Miscellaneous No. 67345 of 2022, the petitioner bail bond is not being accepted on the ground that FSL Report which was directed to be produced to ascertain the genuinity of the signature of the petitioner, has not been produced before the learned District Court.

4. Considering the aforesaid information, I find it proper to modify the order to the extent that the Director, Forensic Science Laboratory concerned must forthwith submit report in compliance of the Court order dated 17.05.2023 within two weeks from today.

5. The Learned District Court is directed to ascertain the fact, as to whether, the FSL Report is submitted within two weeks' and in case, the same is submitted, then he must proceed in accordance with the terms and conditions, as contained in order dated 17.05.2023. In case, the Director, Forensic Science Laboratory, fails to produce the FSL Report, in that case also, the petitioner's bail bond is directed to be accepted, considering the fact that the State must not defeat the vital right of the petitioner contained in Article 21 of the Constitution of India.

6. The order dated 17.05.2023, passed in Criminal Miscellaneous No. 67345 of 2022 is modified to the above extent. Other parts of the order shall remain intact.



7. Accordingly, the present modification application
stands disposed of.

(Purnendu Singh, J)

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