

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29767 of 2024

Arising Out of PS. Case No.-424 Year-2020 Thana- KOTWALI District- Patna

1. Kumari Babita Devi @ Kumari Babita Wife Of Late Santosh Singh Resident Of Village- Kanti, Ps- Brahmapur, Dist- Buxar
2. Vishal Singh Son Of Late Santosh Singh Resident Of Village- Kanti, Ps- Brahmapur, Dist- Buxar
3. Saloni Singh Daughter Of Late Santosh Singh Resident Of Village- Kanti, Ps- Brahmapur, Dist- Buxar
4. Sonali Singh Daughter Of Late Santosh Singh Resident Of Village- Kanti, Ps- Brahmapur, Dist- Buxar
5. Bajrangi Singh Son Of Late Rajendra Singh Resident Of Village- Garhatha Khurd , Ps- Brahmapur, Dist- Buxar
6. Prabhawati Devi Wife Of Late Rajendra Singh Resident Of Village- Kanti, Ps- Brahmapur, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Kotwali P.S. Case No. 424 of 2020, registered on 19.10.2020 for the offences under Sections 417, 418, 419, 420, 120B, 465, 467, 468 of the Indian Penal Code.



3. As per prosecution case, the petitioner nos. 1 to 4 are daughter-in-law and grandchildren of the informant and petitioner nos. 5 and 6 are brother and sister-in-law of petitioner no. 1 and allegation against them is that petitioner nos. 1 to 4 have encashed certain cheques purportedly issued by the informant, after forging the signature of the informant, though the informant claims that no cheques were issued by him.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Petitioner no. 1 is widowed daughter-in-law of the informant and petitioner nos. 2 to 4 are grandchildren of the informant and they never forged or fabricated any signature of the informant and withdrew money. Rather all the cheques are genuine and were issued by the informant. Petitioner nos. 5 and 6 are brother and sister-in-law of petitioner no. 1 and they have been dragged in the present case without any rhyme and reason. The informant has lodged this false case apparently the counter blast of Mahila P.S. Case No. 51 of 2020 which was lodged by petitioner no. 1 against the informant and other family members and in order to pressurize petitioner no. 1 to withdraw the said case, the present case has been lodged by the informant. Learned counsel further submits that even the son of the



informant encashed cheque but he has not been made accused in this case. Learned counsel reiterates that the cheques are genuine and were issued under a family arrangement and if there could be any fraud the bank would not have allowed withdrawal. Petitioners have got no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners. Learned APP submits that there is specific allegation against petitioner nos. 1 to 4 that they fraudulently encashed cheque with forged signature of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the relationship between the petitioners and the informant and further considering the background of earlier dispute, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna/concerned court in connection with Kotwali P.S. Case No. 424 of 2020, subject to the condition as laid down under Section 438(2) of the Code of Criminal



Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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