

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35766 of 2023

Arising Out of PS. Case No.-412 Year-2022 Thana- BAGHA District- West Champaran

Musmat Tara Devi W/O- Late Chandrika Chaudhari R/O- Anand Nagar
Ausani Ps- Pakhauri Dist- W.Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 30-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 420, 467, 468, 469, 471, 120(B)/34 of the Indian Penal Code.

Prosecution case in nutshell is that a land 2 measuring 2 bigha 6 katha and 10 dhur bearing Khata No. 41 and Khesra 147, 118, 78 in Thana No. 147 was received to the informant as gift from her husband in the year 1960. All the accused persons including the petitioner has executed a forged sale ded of the alleged



land under conspiracy with an intention to grand the land of the informant. It is further alleged that petitioner has impersonated the informant and sold the alleged land to the co-accused persons.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and she has falsely been implicated in the present case. It is further submitted that photograph of vendor is of the petitioner which is quite possible in the present day of digital media and the same is without the knowledge of the petitioner. Petitioner has not executed any sale deed in favor of named accused persons. The petitioner is an illiterate old lady. Mobile number mentioned on the sale deed does not belong either to the petitioner or to any of her relative. Moreover, petitioner is languishing in judicial custody since 30.12.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has



vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail, **after framing of charge, if not framed**, in connection with Bagaha (Patkhauri) P.S. Case No. 412 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate I, Bagaha (West Champaran).

(Sunil Kumar Panwar, J)

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