

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28446 of 2025**

Arising Out of PS. Case No.-2537 Year-2021 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Baby Kumari @ Beby Devi Wife of Santosh Kumar Singh R/o - Maksadpura,
Jauhari Bazar, P.S.- Hajipur, Distt.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajeet Kumar Son of Late Sambhu Sharan Srivastva R/o - Pokhra Gudri
Road, P.S.- Hajipur, Distt.- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari

For the Opposite Party/s : Mr. Shailendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 13-08-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State along with learned counsel appearing on
behalf of the complainant.

2. The petitioner apprehends her arrest in connection
with Complaint Case No.2537(c)/2021, registered for the
offences punishable under Sections 406, 420, 468, 120(B) of the
Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and is a woman and the
complainant alleges that Rahul had taken her basement on rent
in the year 2015 for running a shop and the rent fixed was
Rs.8000/-, further the rent agreement again was extended in the



year 2018, on which, Santosh was a witness, further the shop was raided and liquor was recovered and Rahul and Santosh were arrested and shop was sealed, it is next alleged that complainant got information that petitioner who is wife of Santosh filed CWJC No.15795/2021 before this Court for releasing the shop by fabricating rent agreement.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the complainant. It is also submitted that from perusal of the allegation as alleged in the complaint it would manifest that the shop was taken on rent by Rahul and when the agreement was extended in the year 2018, on the said agreement, Santosh was a witness, who is husband of the petitioner. It is thus submitted that petitioner was not associated with the shop in any manner. It is further submitted that even Santosh and Rahul were arrested when the premises was raided.

5. Learned counsel appearing on behalf of the complainant opposes the prayer for anticipatory bail of the petitioner and submits that no doubt what has been submitted by the learned counsel appearing on behalf of the petitioner cannot be countenanced but then the petitioner is not in a position to rebut the allegation that CWJC No.15795/2021 was filed by her



before this Court for getting the shop released by fabricating the rent agreement. It is submitted that if petitioner had no concern with the shop in question then where was the occasion for her to move before this court seeking release of the shop. It is next submitted that process under section 82 Cr.P.C. has been issued against the petitioner. It is also submitted that one can well imagine the plight of the complainant, who is suffering for the last more than four years since his shop has been sealed since 2021, in view of the fact that liquor was recovered from the premises and husband of the petitioner was also arrested.

6. At this stage, the learned counsel for the petitioner submits that though no document with regard to the premise in dispute has been annexed with the anticipatory bail application but then after 2018, the premise was taken on rent by the petitioner, as such, she had filed the aforesaid writ application, the said submission of the learned counsel appearing on behalf of the petitioner is vehemently rebutted by the learned counsel appearing on behalf of the complainant and it is submitted that complainant never gave the shop on rent to the petitioner and if what is being submitted by the petitioner is true, in that it is the news to the complainant and it appears that the petitioner has indulged in some forgery. The learned counsel for the



complainant next submits that from perusal of Annexure-2, it appears that GST number is in name of the complainant with respect to City Fashion Shop which was being run in the premise, which amply demonstrates the connection of the complainant in the business of Rahul and Santosh.

7. Considering the submissions made by the learned counsel for the complainant and also taking into consideration the fact that process under Section 82 Cr.P.C. has been issued, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

8. The anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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