

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46746 of 2025**

Arising Out of PS. Case No.-239 Year-2023 Thana- KOTWA District- East Champaran

Indu Devi W/o - Rakesh Kumar Yadav @ Rakesh Rai R/O Vill.- Barharwa  
Kala, Tola- Heman Chhapra, P.S.- Kotwa, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                               |
|----------------------|---|-------------------------------|
| For the Petitioner/s | : | Mr. Sanjay Kumar Tiwari, Adv. |
| For the State        | : | Mr. Nand Kishore Prasad, APP  |
| For the Informant    | : | Mr. Sanjeev Kumar Singh, Adv. |
|                      |   | Mr. Praveen Ranjan, Adv.      |

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

3      13-08-2025      Heard learned counsel for the petitioner, learned APP for the State and learned counsel appearing for the informant.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 120(B) of the Indian Penal Code r/w Section 67 of the I.T. Act.

3. The allegation in the FIR on all the accused persons including the present petitioner is that of preparation and use of forged documents in order to usurp the land of the informant.

4. Learned counsel for the petitioner submits that upon perusal of the FIR, it would appear that the sale deed stood in the name of one Adalat Rai who was the father-in-law of the present petitioner and there is a general and omnibus allegation



on the petitioner and other male members of the family including her husband that after the death of Adalat Rai, they have prepared forged documents and on the basis of the same, claiming the land of the informant. It is further submitted that even considering such allegations, the fact remains that the present petitioner is the daughter-in-law of the family and is a lady would not have any specific role in the entire offence. It is next submitted that the mutation application filed on behalf of Late Adalat Rai was also rejected and hence, it is submitted that no loss has been caused to the informant and civil remedies are available to him. It is also submitted that the husband of the petitioner, namely, Rakesh Rai is already in custody

5. Learned counsel appearing for the informant, however, opposes the grant of anticipatory bail on the ground that a serious offence of forgery has been committed by the accused persons including the petitioner and hence, she does not deserve the benefit of anticipatory bail.

6. Taking the rival contentions into consideration, this Court finds that prima facie it appears that that forgery has been committed in the documents and the same is quite apparent in view of the fact that although the year of birth of the said Adalat



Rai is 1947, the sale deed in his name is said to be executed in 1927 and it is for such reason that mutation has also been rejected as has been informed by the Circle Officer, who is also present in person. However, considering the fact that the petitioner is a female member of the house to whom no specific role has been assigned, let the petitioner, above named, in the event of her arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Kotwa P.S. Case No. 239 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

7. The presence of the Circle Officer is dispensed with and the documents produced by her are kept on record.

**(Soni Shrivastava, J)**

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