

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2617 of 2025

Arising Out of PS. Case No.-195 Year-2019 Thana- RIVILGANJ District- Saran

Kiran Devi, Wife of Lakhan Prasad, Resident of Village - Pachpatra, Post-Mukrera, Police Station- Rivilganj, District - Saran

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Patna Bihar
2. The Director General of Police, Bihar, Patna
3. The district Magistrate, Saran
4. The Superintendent of Police, Saran
5. The Officer in-Charge, Rivilganj, Police Station, Saran
6. Abhishek Singh Son of Rakesh Singh Resident of Village - Pachpatra, Post-Mukrera, Police Sation - Rivilganj, District - Saran
7. Ankit Singh son of Anil Singh Resident of Village - Pachpatra, Post-Mukrera, Police Sation - Rivilganj, District - Saran
8. Rakesh Singh son of Daneshwar Singh Resident of Village - Pachpatra, Post-Mukrera, Police Sation - Rivilganj, District - Saran
9. Anil Singh son of Daneshwar Singh Resident of Village - Pachpatra, Post-Mukrera, Police Sation - Rivilganj, District - Saran
10. Dinesh Singh Son of Daneshwar Singh Resident of Village - Pachpatra, Post-Mukrera, Police Sation - Rivilganj, District - Saran
11. Ganesh Singh Son of Dinesh Singh Resident of Village - Pachpatra, Post-Mukrera, Police Sation - Rivilganj, District - Saran

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Gyan Prakash, Advocate
		Ms. Parul Priya, Advocate
For the Respondent/s	:	Mr. Vikash Kumar, SC-11

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 15-10-2025

Heard learned counsel for the petitioner and learned counsel for the State.

2. The instant writ petition has been filed by the petitioner seeking following reliefs :-



(i) For issuance of necessary direction upon the Judicial Magistrate 1 Class, Chapra, Saran to adjudicate the petitioner's petition dated 01.08.2025 on merit filed within the provision of under section 379 of Bhartiya Nagarik Surakasha Sanhita (corresponding to section 340 of Criminal Procedure Code) praying therein to call for the original record of Trial no. 1692/2025 from the office, issue notice to respondent no. 6 to 11 and after coming to the finding that the respondent no. 6 to 11 have committed the offence of forgery, impersonation, perjury, fraud and giving false evidence in judicial proceedings, pass the necessary order in accordance with law.

(ii) For issuance of necessary direction upon the concerned respondents to persevere the CCTV footage of the concerned Trial Court premises i.e., the premises of Judicial Magistrate 1 Class, Chapra, Saran, dated 05.07.2025, 16.07.2025 and 19.07.2025.

(iii) For direction upon the concerned respondents for forensic examination of petitioner's signature/thumb impression on the alleged compromise petition and deposition by comparing with the petitioner's admitted signature.

(iv) For issuance of any other appropriate order/direction for which the petitioner be



found entitled to, in the factual matrix and legal aspect of the case in consideration of this Hon'ble Court and in the interest of justice.

3. The learned counsel for the petitioner submits that the petitioner was the informant of Rivilganj P.S. Case No. 195 of 2019 in which private respondents were made accused. The trial proceeded in the matter vide Case No./R.No.5269/2019. However, the accused persons made an imposter appear before the learned trial court and a compromise petition was filed. The evidence of the imposter was recorded and the accused persons were acquitted. When the petitioner came to know about all these facts, she made enquiry and, thereafter, she came to know about the mischief committed by the accused persons. The learned trial court did not look into the fact that the vakalatnama filed on behalf of imposter was unsigned and the signature and thumb impression of the petitioner were different on compromise petition. When the petitioner filed an application for making enquiry under Section 379 of BNSS. The learned trial court did not pass any orders. The learned counsel further submits that the CCTV footage of the court concerned and premise also needs to be preserved for 05.07.2025, 16.07.2025 and 19.07.2025 when the person impersonating the petitioner



appeared and certain documents had been brought on record at the instance of such imposter.

4. The learned counsel appearing on behalf of the State-respondents submits that appropriate orders may be passed in this case.

5. At this stage, this Court is not concerned with the other prayers of the petitioner. The concern of the Court is only with regard to the fact that when the application has been filed on 01.08.2025 under Section 379 of BNSS, the learned Judicial Magistrate, 1st Class, Saran at Chapra failed to pass any orders.

6. Since there is specific submission of learned counsel for the petitioner that no orders have been passed on the application dated 01.08.2025 of the petitioner filed under Section 379 of BNSS, I think it appropriate that the learned Judicial Magistrate, 1st Class, Saran at Chapra be directed to pass orders on the application of the petitioner. At the same time, the learned Principal District & Sessions Judge, Saran at Chapra is also required to preserve the CCTV footage from 05.07.2025 to 19.07.2025 for the court concerned and the premises, if not already deleted, considering the serious nature of allegation.

7. Therefore, the learned Judicial Magistrate, 1st Class,



Sarana at Chapra is directed to dispose of the application dated 01.08.2025 filed by the petitioner under Section 379 of BNSS at the earliest preferably within a period of four weeks from the date of receipt/production of a copy of this order in accordance with law.

8. At the same time, learned Principal District & Sessions Judge, Saran at Chapra is requested to preserve the CCTV footage of 05.07.2025 till 19.07.2025 for the court concerned and the premises, if not already deleted.

9. With the aforementioned observations/directions, the instant writ petition stands disposed of.

(Arun Kumar Jha, J)

V.K.Pandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.10.2025
Transmission Date	16.10.2025

