

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9550 of 2015**

Arising Out of PS.Case No. -131 Year- 2014 Thana -MAHESHI District- SAHARSA

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1. Neelam Devi, W/o Rajendra Sharma R/o Rajanpur, P.S. Mahishee, Distt. Saharsa

2. Ramdeo Mistri @ Ramdeo Sharma S/o Late Mungilal Mistri R/o Badraha, Ward No. 2, P.S. Purnea Thana, Distt. Saharsa.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Suresh Chand Giri

For the Opposite Party/s : Mr. Jagdhar Prasad (App)

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

4      26-08-2015                      Heard learned counsel for petitioner no.1 and learned  
counsel for the State.

By way of filing an application under section 438 of the Code of Criminal Procedure, the petitioner no.1 seeks anticipatory bail in connection with Maheshi P.S. Case No. 131 of 2014 registered for the offences punishable under sections 198, 420, 465, 468, 471 and 120-B of the Indian Penal Code.

It is contended that petitioner no.1 had never been the student of Madhya Vidyalaya, Sulindabad and therefore there was no occasion for her to obtain and submit the certificate. When her appointment was sought to be challenged then in order to deprive her from service, her document was tampered with and such a fake and forged document was incorporated and annexed

with her application. The petitioner is Madhyama pass and has a certificate with her indicating her date of birth to be 10.02.1984 and there was no reason for her to annex transfer certificate showing that she was student of Class VII in the teeth of the fact that the student of Class VII was not entitled for appointment to the post of Sahaika (Assistant).

Learned counsel for the State has opposed the prayer for anticipatory bail.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioner no.1 Neelam Devi is directed to be released on bail 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 Judicial Magistrate 1<sup>st</sup> Class, Saharsa in connection with Maheshi P.S. Case No. 131 of 2014, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands disposed of.

**(Ashwani Kumar Singh, J)**

Pradeep/-

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