

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40083 of 2015

Arising Out of PS.Case No. -171 Year- 2015 Thana -BARACHATTI District- GAYA

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Shobha Kumari (Teacher) Primary School Tetaria Wife of Jagdish Yadav
resident of village - Tetaria, P.S. Barachatti, District - Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Paras Nath, Adv

For the Opposite Party/s : Mrs. Sangita Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 30-09-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-420, 409, 467, 468 and 471 of the Indian Penal Code and that she cannot deny the basic fact that she had got her appointment on the basis of her own certificate of educational qualification enclosed and produced by her along with the application in prescribed proforma which have been found to be forged, this Court would not be inclined to grant the privilege of anticipatory bail to her.



The only submission that the petitioner was a lady and it was her husband Jagdish Yadav, member of Panchayat Samiti, who had done everything, will also not appeal to this Court, inasmuch as, it is the petitioner who got appointed on the post of Panchayat Teacher, despite being not eligible for being appointed on the said post, by having produced forged certificate of educational qualification along with her application and had also drawn salary for the period of 2003 to 2015.

Thus, when this Court for the aforesaid reasons is not inclined to grant the privilege of anticipatory bail to the petitioner, the only option for her would be to surrender and make a prayer for grant of regular bail and if she at that time would refund the entire amount of entire drawn by her for the period of 2003 to 2015 in capacity of Shiksha Mitra and Panchayat Teacher on which she was appointed on the basis of forged certificate and that too by way of bank-draft in the name of District Education Officer, Gaya, she shall be granted regular bail on the

terms and conditions to be fixed by the Court below.

With the aforementioned observation and direction,
this application is disposed of.

(Mihir Kumar Jha, J)

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