

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42248 of 2015

Arising Out of PS.Case No. -599 Year- 2013 Thana -KOTWALI District- PATNA

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1. Tarannum Khatoon @ Tarranum Khatoon Daughter of Manzoor Alam
Resident of Suleman Manzil, Pirbahore, P.S. Pirbahore, Distt. - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Gajendra Pd.Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-09-2015 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner is apprehending her arrest in Kotwali
P.S.Case No. 599 of 2013 for the offence alleged under Sections
420, 467, 468, 471/34 of the Indian Penal Code, pending in the
Court of learned C.J.M., Patna.

The anticipatory bail application of the petitioner was
earlier rejected vide order dated 30.04.2015 in Cr. Misc. No.49760
of 2014 with an observation that if the petitioner surrenders in the
court below within a period of six weeks and pray for regular bail,
the same shall be considered on its own merit without being
prejudiced by the order of rejection, preferably on the same day.

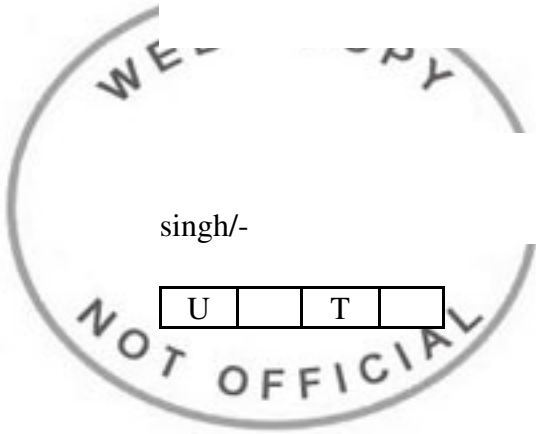


The aforesaid observation was made considering the fact that the petitioner is a lady and has two minor children. It may be pointed out here that she was not appointed on the post of Teacher nor she caused wrongful loss to the State. It is further submitted that in Civil Writ Jurisdiction Case No. 15459 of 2014 dated 22.06.2015 this Hon'ble High Court had given option to such teachers for making voluntary resignation, who had been appointed on the basis of fake certificate. The said order was operative only for a period of fifteen days and in case if any such person, who had opted for voluntary resignation, in that period, it was directed that no proceeding would be initiated against him either for prosecution or for recovery of the amount already paid. So is not the case of the petitioner as she was not appointed by the State, hence the application of the said order in the case of the petitioner does not arise.

Considering the aforesaid facts and circumstances, the present application made on behalf of the petitioner stands rejected.

Any how, if the petitioner surrenders in the court below within a period of six weeks from the date of receipt/production of a copy of this order and pray for regular bail, same shall be considered sympathetically by the court below

keeping in mind that the petitioner is a divorcee lady with two
minor children.



(Sudhir Singh, J)

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