

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20720 of 2016

Arising Out of PS.Case No. -29 Year- 2016 Thana -BELDAUR District- KHAGARIA

- =====
1. Dipak Kumar son of Mahavir Sharma @ Mahavir Prasad Sharma.
 2. Kiran Devi wife of Mahavir Sharma @ Mahavir Prasad Sharma. Both resident of village Bela Naubad, P.S. Beldour, District Khagaria.
 3. Anu Kumari D/o Tej Narayan Prasad Wife of Sunil Kumar, resident of Post Office Road Hajipur, Ward No. 20 P.S. and District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar through Deptt. of Vigilance, Camp at Khagaria, Patna.
- Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Ajay Kumar No.2(App)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 27-06-2016 Heard learned counsel for the petitioners and learned

counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Beldour P.S. Case No. 29 of 2016 for the offences registered under Sections 467, 468, 471, 120(B)/34 of the Indian Penal Code.

At the outset, learned counsel for the petitioners submits that the application as against petitioner no. 1 has become infructuous, as the petitioner no. 1 has been taken into custody.

Permission is accorded.

Accordingly, the application as against petitioner no. 1 is dismissed as withdrawn.



So far as petitioner nos. 2 and 3 are concerned, the allegation against them is that they got employment as Panchayat Teacher on the basis of certificate issued by the Madhyamik Shiksha Parishad, Delhi which according to the State is not recognized institution. It is further submitted that the prosecution against several teachers emanated out of the public interest litigation in which orders were passed by this court wherein it was directed that the persons, who have been appointed on the basis of forged and fake certificates may be eliminated from service. It is further submitted that the petitioners do not fall into the said category and the only question which is to be determined in their case is that whether the institution from which they had passed the senior secondary examination is a recognized institutions or not.

Considering the facts and circumstances of the case as also the fact that other similarly situated co-accused persons have already been extended the privilege of anticipatory bail vide order dated 01.04.2016 passed in Cr. Misc. No. 14229 of 2016 and the petitioners were also holding the degree from the Madhyamik Shiksha Parishad, Delhi, which is the same institution from which the present petitioners have obtained their matriculation degree, let the petitioner nos. 2 and 3, namely, Kiran Devi and Anu

Kumari, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Khagaria in connection with Beldaur P.S. Case No. 29 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Jagdish/-

(Anjana Mishra, J)

U		T	
---	--	---	--