

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21529 of 2016

Arising Out of PS.Case No. -29 Year- 2016 Thana -CIVIL LINE District- GAYA

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1. Sunita Kumari D/o Sidheshwar Mistri, Resident of Mohalla- Kharkhura,
Bairagi, Near Devi Sthan Loko Gate, P.S.- Delha, District- Gaya
..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Opposite Party/s : Mr. Kr. Uday Pratap Singh (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 06-09-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends her arrest in connection with a
case registered for the offences punishable under Sections 420/467
/468/471/409/120(B) of the Indian Penal Code.

Learned counsel for the petitioner submits that, though there
is allegation against the petitioner that her marks-sheet was found
to be forged and fake, yet on a subsequent enquiry, the petitioner's
marks-sheet has been found to be correct as Bihar School
Examination Board has given a certificate to the said effect and
rectified its own mistake.

In support of such submissions, learned counsel for the
petitioner has filed a supplementary affidavit and in paragraph
No. 4 wherein it has been stated that due to mistake, the roll code
of marks-sheet and original certificate submitted by Sunita Kumari

(petitioner) D/o Sinheshwar Mistri were read as Roll Code No. 8103 instead of 6103 and, accordingly, the report was sent, but later on, it was discovered that Roll Code No. 6103 was verified and the marks-sheet and original certificate filed by Sunita Kumari were found to be true.

In view of the said letter issued by the Secretary, Bihar School Examination Board vide Memo No. 2904 dated 13.05.2016 which has been marked as Annexure-4 to the supplementary affidavit of this Cr. Misc. application and taking into account the submission of learned counsel for the petitioner and that the mistake has been rectified by the Bihar School Examination Board, it appears that no case against the petitioner remains and the allegations cannot be supported any further, let the petitioner, in the event of her arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Civil Lines P.S. Case No. 29/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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