

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51156 of 2016

Arising Out of PS.Case No. -4 Year- 2014 Thana -SHANKARPUR District- MADHEPURA

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Pooja Kumari @ Puja Kumari, daughter of Ashok Kumar, resident of village-Jirwa, PS- Shankarpur, District-Madhepura

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.48967 of 2016

Arising Out of PS.Case No. -4 Year- 2014 Thana -SHANKARPUR District- MADHEPURA

- =====
1. Ujjwal Kumar, Son of Chandeshwari Prasad Yadav @ Chandeshwari Yadav
 2. Sinni Kumari, Daughter of Chandeshwari Prasad Yadav @ Chandeshwari Yadav Both residents of village - Hirolwa, P.S. Shankarpur, District- Madhepura
 3. Anita Devi, Wife of Krishna Kumar, resident of village - Maujma, P.S. Shankarpur, District - Madhepura

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.51156 of 2016)

For the Petitioner : Mr. Amarnath Jha, Advocate

For the Opposite Party : Mr. Dr.Mrityunjaya Kr.Gautam (APP)

(In Cr.Misc. No.48967 of 2016)

For the Petitioner : Mr. Amarnath Jha, Advocate

For the Opposite Party : Mr. Sri Ramchandra Sahani (APP)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI

ORAL ORDER

2 30-11-2016

Both the petitions arise out of common P.S. case

no. i.e. Shankarpur P.S. case no. 04 of 2014. Accordingly, both the petitions have been heard together and are being disposed of by a common order.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor.

At an earlier occasion vide Annexure-1, petitioner's prayer was dismissed as withdrawn. However, they have renewed their prayer on the ground of having some of the accused given privilege of anticipatory bail in Cr. Misc. no. 12583 of 2016 (Annexure-3).

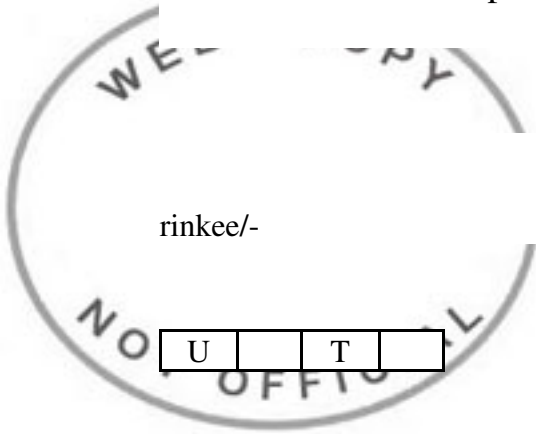
During course of appointment of Panchayat Teacher, list was prepared comprising 599 candidates. During the course of scrutiny, BETET certificate were found fake.

It has been submitted on behalf of petitioners that they could not be able to have appointment letter in their favour and on account thereof, no wrongful loss has been sustained to the State Exchequer and in likewise manner, no wrongful gain found in the favour of the petitioners. The aforesaid theme was taken into consideration while granting anticipatory bail to other co-accused (Annexure-3) and so, it is a fit case wherein petitioners should be allowed to enjoy the privilege of anticipatory bail.

It be a good ground for getting regular bail by having the presence of petitioners before the learned lower court which the learned lower court will favourably consider in case made by the petitioners in light of finding recorded hereinbefore.

With the aforesaid observations, instant petition is

disposed of.



(Aditya Kumar Trivedi, J)