

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35477 of 2016

Arising Out of PS.Case No. -43 Year- 2016 Thana -SIKANDARA District- JAMUI

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1. Kumari Sujata Wife of Shyam Sunder Mahto@Shyam Sunder Prasad
Resident of Village- Dighaut, P.S.- Sikandra, District Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bharat Lal, Advocate.

For the Opposite Party/s : Mr. M.Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 17-09-2016 Heard learned counsel for the petitioner and Mr.

Dayal APP for the State.

The own younger sister has lodged the case against the petitioner alleging that on the basis of the mark-sheet/certificate of the informant, her sister got herself appointed as Panchayat Teacher. With such allegation the First Information Report was lodged vide Sikandra P.S. case no. 43 of 2016, registered under Sections 420, 406, 409, 467, 468, 469 and 471/34 of the IPC. Hence the anticipatory bail.

It is submitted that the petitioner had passed the matriculation examination as well as the intermediate examination for which certificates were issued by the concerned Board. Copies whereof are at Annexures 2 series. On the strength of those



certificates, she obtained the job. The aggrieved party in such case ought to have been the department of the State Government. She lodged the case owing to a dispute over partition of the maternal property. Considering the above, the other accused of this case, namely, Shyam Sunder Mahto @ Shyam Sundar Prasad has been granted the privilege of anticipatory bail vide order dated 26.07.2016 passed in Cr. Misc. no. 28951 of 2016.

Considering the facts and circumstances of the case, I am persuaded to extend the privilege of anticipatory bail to the petitioner. Let the petitioner, named above, in the event of her arrest/surrender before the learned Court below within a period of four weeks from today, be released 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 Additional Chief Judicial Magistrate-2, Jamui, in connection with Sikandra P.S. case no. 43 of 2016 (G.R. No. 528/16), subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial Court on

the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure her arrest in accordance with law.

(Kishore Kumar Mandal, J)

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