

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26127 of 2016

Arising Out of PS.Case No. -1300 Year- 2015 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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Alka Kumari, D/o Hridaya Nand Dubey, resident of Village- Gobardhanpur,
P.S- Akorhi Gola, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishan Prasad Singh, Sr. Advocate
For the Vigilance : Mr. Ramakant Sharma, Sr. Advocate
For the State : Mr. Shantanu Kumar, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 30-06-2016 Heard parties.

The petitioner apprehends her arrest in a case registered for the offence punishable under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

As per the prosecution case, in view of the order passed by this Court in CWJC No.15459/2014 for verification of newly appointed teachers and librarians in between the year 2006 to 2015, an inquiry was made by the Vigilance Investigation Bureau, Patna and it has been found that several persons have been found to be obtained employment on the basis of forged certificates.

It is contended on behalf of the petitioner that she is ready to refund the entire amount of salary which has been received by

her during the service period. It is further contended that on identical footing, the co-accused Bablu Kumar Singh @ Babloo Kumar Singh has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 28.04.2016 passed in Cr. Misc. No.17556 of 2016 (Annexure-2).

Having regard to the facts and circumstances of the case, let the petitioner, namely, Alka Kumari be released on bail in the event of her arrest/surrender before the court below within a period of six weeks from today in connection with Sasaram (Model) P.S. Case No.1300 of 2015, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Rohtas at Sasaram subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure and subject to return of entire salary which the petitioner had received during the service period as per the undertaking given at the time of hearing. At the time of furnishing bail bond, she will produce evidence that such undertaking, along with a copy of this order, has been given in writing before the competent authority which has duly been received by it.

It is made clear that the competent authority would be required to calculate the amount which has been received by the

petitioner by way of salary/emoluments within a period of two months and communicate it to the petitioner as she has undertaken to deposit the same. However, if the same is not returned by the petitioner then it will be open to the authorities to make a prayer before the court below for cancellation of her bail bonds, which shall proceed to consider the same on its own merit and in accordance with law as the order is being passed on such undertaking given by the petitioner.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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