

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33625 of 2016

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

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1. Sangita Bharti, Wife of Sanjiv Kumar, D/o Biseshwar Prasad Yadav, Resident of Village- Jirwa, P.S.- Shankarpur, District- Madhepura. Presently residing at Sukhashan, P.S.- Saharsa, District- Saharsa.
 2. Archana Kumari wife of Dinesh Kumar, Daughter of Bishundeo Prasad Yadav, Resident of Village- Jirwa, P.S.- Shankarpur, District- Madhepura.
 3. Sabnam Kumari, wife of Shiv Kumar, D/o Chandeshwari Prasad Yadav Resident of Village- Jirwa, P.S.- Shankarpur, District- Madhepura. Presently residing at Sahugarh Dewani Tola, P.S.- Madhepura, District- Madhepura.
 4. Sanjay Kumar, son of Shiv Narayan Yadav, Resident of Village- Jirwa, P.S.- Shankarpur, District- Madhepura.
 5. Gauri Shankar Yadav @ Gauri Shankar Kumar, Son of Late Govind Yadav, Resident of Village- Jirwa, P.S.- Shankarpur, District- Madhepura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Dinesh Prasad Verma, Advocate
For the Opposite Party : Mr. Dr. Ajeet Kumar(APP)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

5 14-09-2016 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor.

At an earlier occasion vide Annexure-1, petitioners' prayer was dismissed as withdrawn.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

From para 3 of the petition, it is apparent that petitioner nos. 1, 4 and 5 namely Sangita Bharti, Sanjay Kumar and Gauri Shankar Yadav @ Gauri Shankar Kumar have been arrayed as accused in a case bearing Shankarpur P.S. case no. 04/2014 that of same allegation.

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 letters 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 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.

With the aforesaid observations, instant
petition is disposed of.

(Aditya Kumar Trivedi, J.)

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