

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54878 of 2016

Arising Out of PS.Case No. -433 Year- 2016 Thana -KISHANGANJ District- KISANGANJ

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Gufrana Begum

.... Petitioner

Versus

The State of Bihar through Vigilance Investigation Bureau, Bihar, Patna

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Samir Kumar, Advocate.

For the Opposite Party : Mr. Ramakant Sharma(L.O., I/C Vig)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioner and learned
counsel for the Vigilance.

The petitioner is apprehending her arrest in connection with Kishanganj P.S. Case No. 433 of 2016 for the offences instituted under Sections 419, 420, 467, 468, 471/34 and 120(B) of the IPC.

The prosecution story, in brief, is that the informant after getting enquiry found that the petitioner has been appointed as Panchayat Teacher on forged and fabricated experience certificate and getting honorarium from the Government of Bihar. The said certificate was issued with collusion of the Headmaster of Prathmik Vidyalaya, Tupamari, Kishanganj, for one year and also the District Education Superintendent-cum-Sub Divisional Educational Officer, Kishanganj vide Memo No. 1701 dated



06.11.2008. The then District Education Superintendent-cum-Sub Divisional Educational Officer in his letter no. 545 dated 26.09.2009 has mentioned that in course of enquiry, it was found that no training programme or Prayas Kendra or Vidyalay Chalo Kendra was running in that block during the relevant period. It is alleged that the petitioner has made forgery for the purpose of cheating and used the forged documents as genuine by impersonating it and thus cheated the Government of Bihar and people in rem.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. It has been pointed by learned counsel for the petitioner that the certificate in question was verified by the District Programme Officer as well as District Superintendent of Education and the same was found to be genuine which is at page 23 of the brief and part of the FIR and on the basis of the same, the petitioner was appointed on the post of Panchayat Teacher. She has been made accused in the present case due to mistake of fact. Remuneration was also granted for the training period vide Annexure-2 to the present application. During service, the petitioner has cleared her T.E.T. Examination also which was conducted by the Education



Department.

On behalf of the Vigilance, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of her arrest or surrender before the learned court below within a period of six weeks from today in connection with Kishanganj P.S. Case No. 433/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kishanganj, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

