

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39002 of 2017

Arising Out of PS.Case No. -697 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Kritika Kumari, Daughter of Avadhesh Chaudhary, Resident of Village-
Auliyabad, Police Station- Bihpur, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar through the Director General Vigilance Investigation
Bureau, Government of Bihar, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate.

For the Opposite Party/s : Mr. Rama Kant Sharma, L.O, I/C Vigi

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 12-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends her arrest in Kotwali
(Adampur) P.S. Case No. 697 of 2016 instituted for the offence under
Sections 409, 420, 467, 468, 471 and 120B of the Indian Penal Code.

It is alleged that the Inspector of Vigilance, Investigation
Bureau, Bhagalpur, investigated the academic certificates of teachers
appointed after 2006 in the High School, Middle School, Library and
Primary Schools and after investigation of the certificates of
Nawgachiya, Kharik, Bihpur and Shahkund Blocks of Bhagalpur
District, it has been found that Bihar Elementary Teachers Eligibility
Test (BETET) certificates/Mark Sheets of 29 teachers were forged and
fabricated.

It has been submitted on behalf of the petitioner that he



has already resigned from the service in February, 2016

The counsel for the opposite party No. 2 has submitted that petitioner has submitted her resignation after lapse of amnesty period granted by the Hon'ble Court vide orders dated 22.6.2015, 14.07.2015 and 28.07.2015. Therefore, she will liable for recovery of monetary benefit which was given during the period of such illegal appointment. The allegation is that the petitioner was appointed as contract teacher on the basis of forged certificate and after vigilance enquiry initiated on the basis of order of the Hon'ble Court, she has resigned from the service after lapse of amnesty period.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Kotwali (Adampur) P.S. Case No. 697 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or



the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

The department will be at liberty to recover the amount in installment as order passed in other cases of this Hon’ble Court.

(Sanjay Priya, J)

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