

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23263 of 2017

Arising Out of PS.Case No. -114 Year- 2016 Thana -PARASBIGHA District- JEHANABAD

Belmanti Devi wife of Arun Kumar resident of village Rasidpur P.S. Parsbigha District Jehanabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumari Sujata Sinha, Advocate

For the State : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 06-07-2017

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Parasbigha P.S. Case No. 114 of 2016 dated 17.09.2016 instituted
under Sections 420/467/468/471/474 of the Indian Penal Code.

3. The allegation against the petitioner is that the
Selection Committee headed by her had appointed one Rita Devi as
Panchayat Teacher which has been found to be on the basis of forged
certificate.

4. Learned counsel for the petitioner submitted that she is
the Mukhiya and could not have known as to whether the certificate
produced by Rita Devi is forged or fabricated and only upon



complaint being made or verification, which has to be done by the authorities, such fact can come into light. Learned counsel submitted that even the informant of the case is the Panchayat Secretary who was also part of the Selection Committee and he has not levelled any allegation against the petitioner. It was further submitted that once the Panchayat Secretary who is required to assist the Committee and the Mukhiya in performing her duties by placing correct fact was himself unaware and is the informant of the case, the petitioner being made an accused is erroneous. Learned counsel submitted that only because of the direction of the S.D.P.O., Jehanabad in his supervision report to arrest the petitioner, she now apprehends her arrest. He drew the attention of the Court to the fact that the sole named accused Rita Devi, who has been appointed as Panchayat Teacher, has been granted anticipatory bail by a co-ordinate Bench by order dated 03.03.2017 in Cr. Misc. No. 7639 of 2017. It was further submitted that the petitioner has clean antecedent.

5. Learned A.P.P. submitted that the petitioner was the chairman of the Selection Committee which selected the named accused.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from



today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Judicial Magistrate, 1st Class, Jehanabad in Parasbigha P.S. Case No. 114 of 2016, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that she shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of her bail bonds.

(Ahsanuddin Amanullah, J)

Anjani/-

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