

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38627 of 2017

Arising Out of PS.Case No. -750 Year- 2016 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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1. Smt. Kumari Veena Jha @ Kumari Veena Jha W/o Late Ashwani Kumar Jha, R/o Village- Kalyanpur Basti, P.S.- Mohiuddin Nagar, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sursh Rai Son of Late Baldeo Rai, R/o Village- Waini, P.S.- Tajpur(Waini O.P.), District- Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Sharma

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-08-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Complaint Case C.R. No. 750 of 2016 instituted for the offence under Sections- 120, 120B, 161, 165A, 166A, 167, 203, 217, 218, 466, 467, 468 & 471 of the Indian Penal Code.

It has been submitted that the petitioner has already retired from service on 31-05-2016. She was appointed on 01-12-1977 as an Assistant Teacher and her first place of posting was Bangraha where she remained till her superannuation.

The allegation in the complaint petition is that this petitioner got appointment on the basis of forged document in the



year 1977 on 01-12-1977 and with the same name, one Smt Veena Jha was also appointed on 15-12-1987. It is also alleged that the documents were demanded from the petitioner under Right to Information Act but she did not furnish the same.

Counsel for the petitioner has submitted that the complainant is the outsider. He has no concern with the documents which have been produced by the petitioner at the time of her appointment. The petitioner has now superannuated. She has not been served with any notice to give documents with regard to her appointment by any competent authority. She is a lady.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of her arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Complaint Case C.R. No. 750 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Samastipur subject to condition as laid down u/S 438(2) of the 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.

(Sanjay Priya, J)

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