

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39746 of 2017

Arising Out of PS.Case No. -169 Year- 2016 Thana -SHAMBHUGANJ District- BANKA

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1. Babita Kumari wife of Sri Pawan Kumar, resident of Village- Pakaria,
Police Station- Shambhuganj in the district of Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 01-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Shambhuganj P.S. Case
No. 169 of 2016 instituted for the offence under Sections-353, 506 of
the Indian Penal Code.

There is allegation against the petitioner that he and other
accused persons got appointment as contract teacher at Banka on the
basis of forged certificates.

Counsel for the petitioner has submitted that investigation
was not properly done. It has been mentioned in paragraph-7 of the
petition that all the papers, submitted by the petitioner at the time of
appointment were genuine. The petitioner has not produced any forged
documents. The other co-accused with similar allegation has been
granted anticipatory bail by this court vide order dated 25-08-2017
passed in Cr. Misc. No. 37233 of 2017.



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 Shambhuganj P.S. Case No. 169 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Banka 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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