

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44478 of 2017

Arising Out of PS.Case No. -67 Year- 2017 Thana -MASRAKH District- SARAN

=====

Kumari Sweta D/o Gorakh Ram, R/o Village- Chamanpura, P.S.-
Baikunthpur, District- Gopalganj, presently posted as Assistant Teacher,
Primary School, Chand Kudariya Hindi, P.S.- Mashrakh, District- Saran at
Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Superintendent of Police, Vigilance, North Bihar, Muzaffarpur.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ram Binod Singh, Advocate
For the Vigilance	:	Mr. Rama Kant Sharma, Sr. Adv. Vigilance L/O Mr. Rabindra Kumar, A.C. to vigilance
For the State	:	Mr. Umeshnand Pandit, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 11-10-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends her arrest in Special Case No.
13 of 2017 arising out of Mashrakh P.S. Case No. 67 of 2017 instituted
for the offence under Sections 419, 420, 409, 467, 468, 471, 201,
120(B) of the Indian Penal Code and Section 13(2) read with Section
13(1)(d) of Prevention of Corruption Act, 1988.

It has been submitted on behalf of the petitioner that as per
process of appointment of Panchayat Teachers in Gram Panchayat of
Chand Kudariya, petitioner submitted their application in prescribed
proforma. Final merit list was prepared after obtaining the application
form from the candidates and it was sent to the office of District



Education Officer and the final list was compared with the CD, provided by the Education Department of TET examination. After verification, the approval was granted by District Education Officer, vide letter No. 4603 dated 01.09.2013 and thereupon, appointment letters were issued to the teachers. It has further been submitted that during the matching of CD, provided by the Education Department, certain discrepancies were detected with regard to some of the candidates, which were also pointed out by the District Education Officer in a separate list. With regard to this candidate, the District Education Officer directed to verify the details of the candidates and thereupon, directed to issue the appointment letter. Accordingly, the appointment letters was issued.

Learned counsel for the vigilance has appeared and submitted that after vigilance enquiry, the allegation against this petitioner regarding submission of the TET Marks sheet was found to be not correct.

It has been submitted by the learned counsel for the petitioner that some other co-accused have been granted anticipatory bail by this Court and coordinate Benches of this Court vide orders dated 01.09.2017, 21.09.2017 and 21.09.2017 passed in Cr. Misc. 40091 of 2017, 40248 of 2017 and 40772 of 2017 respectively.

In such circumstances, 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 Special



Case No. 13 of 2017 arising out of Mashrakh P.S. Case No. 67 of 2017, 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 Special Judge, Vigilance, North Bihar, Muzaffarpur, 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.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

