

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40248 of 2017

Arising Out of PS.Case No. -67 Year- 2017 Thana -C.B.I CASE District- MUZAFFARPUR

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1. Reshma Kumari D/o Bihari Ram, R/o Village- Banjariya, P.S.-
Mahmadpur, District- Gopalganj, presently posted as Assistant Teacher,
Primary, School, Sundar, 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

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with

Criminal Miscellaneous No.40264 of 2017

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

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1. Kumari Savita D/o Rampriti Singh, R/o Village- Katalpur, P.S.-
Baikunthpur, District- Gopalganj, presently posted as Assistant Teacher,
Primary School, Harpur Jan Purab, 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

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Appearance :

(In Cr.Misc. No.40248 of 2017)

For the Petitioner/s : Mr. Ram Binod Singh

For the Opposite Party/s : Mr. Sri Arun Kumar Pandey

(In Cr.Misc. No.40264 of 2017)

For the Petitioner/s : Mr. Ram Binod Singh

For the Opposite Party/s : Mr. Sri Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 21-09-2017 Both petitions arise out of Special Case No. 13 of 2017

arising out of Mashrakh P.S. Case No. 67 of 2017 registered under

Sections-419, 420, 409, 467, 468, 471, 201 and 120(B) of the



Indian Penal Code and Section-13(2) read with Section-13(1)(d) Prevention of Corruption Act, 1988, in which, petitioners apprehend their arrest and accordingly, both petitions are heard and disposed off together with this common order.

It has been submitted that in the process of appointment of Panchayat Teachers in Gram Panchayat of Chand Kudariya, petitioners 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 grated by District Education Officer vide letter No. 4603 dated 01-09-2013 and thereupon, appointment letters were issued to the teachers. 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.

It has been submitted that other co-accused with similar allegation, has already been granted anticipatory bail by this court vide order dated 01-09-2017 passed in Cr. Misc. No. 40091 of 2017.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their 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 Special Case No. 13 of 2017 arising out of Mashrakh P.S. Case No. 67 of 2017 to the satisfaction of learned Special Judge, Vigilance, North Bihar, Muzaffarpur 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) petitioners 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 petitioners and (3) if petitioners tamper 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 petitioners.

(Sanjay Priya, J)

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