

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53982 of 2016

Arising Out of PS.Case No. -461 Year- 2016 Thana -ARA NAGAR District- BHOJPUR

=====

Kumari Sheela, W/o Nand Jee Yadav, presently posted as Headmistress,
Primary School, Alekhi Tola, (East) Circle Badhara, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 02-03-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends her arrest in connection
with Ara (Town) P.S. Case no. 461 of 2016 registered under
Sections 467, 468, 471, 420 and 120(B) of the Indian Penal
Code.

The accusation is that one Kundan @ Ajay, son of
Late Kumar Amarnath, Resident of Mohalla Shital Tola, P.S.
Ara, District-Bhojpur, who was accused in Ara (Town) P.S. Case
No. 134 of 2015, under Section 302/34 of I.P.C. and Section 27
of Arms Act, surrendered before the Court on 15.04.2015. After
investigation, Chargesheet was submitted. Thereafter, it was
found that on the basis of Educational Certificate issued by
Kumari Sheela (Petitioner), Headmistress, Primary School,



Alekhi Tola, Circle Badhara, District-Bhojpur in which the date of birth was shown as 10.07.1997 his record was transferred to the Juvenile Justice Board treating him as juvenile and, thereafter, he was released on bail. But, in course of inquiry, it was detected that Kundan @ Ajay had also taken admission in 2011-2013 at Sr. No. 301 in Sri Tridandi Swami Manas College, Panwari, Bhojpur and in the School Admission Register of the said college, his date of birth was shown as 08.12.1993 and accordingly, he was major at the time of occurrence. As such, it is clear that Kumari Sheela (Petitioner), Headmistress, Primary School, Alekhi Tola, Circle Badhara, District-Bhojpur had issued forged certification in collusion with accused.

Learned counsel for the petitioner submits that, in fact, petitioner joined in the year 2007 as Headmistress of Primary School, Alekhi Tola, Circle Badhara, District-Bhojpur and according to the School Admission Register, she issued the School Leaving Certificate as detailing the date of birth as detailed in the admission register of the school. As such, the allegation against the petitioner that she had given false certificate in collusion with accused is false. It is further submitted that in course of investigation, I.O has also detailed the entry of the School Admission Register in paragraph No.4 in which the date of birth of Kundan @ Ajay has been shown as 10.07.1997 as detailed in the School Leaving Certificate issued



by her.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara (Town) P.S. Case No. 461 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

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

