

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39351 of 2017

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

=====

Smt. Mala Rai @ Kumari Mala Rai, W/o Ram Kumar Rai, R/o Village-
Pokharia, P.S.- Balia, Distirct- Begusarai, currently posted as Block
Education Officer, Vidyapati Nagar, Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Suresh Rai, S/o Late Baldev Rai, R/o Village- Vaini, P.S.- Tajpur
(Vaini O.P.), District- Samastipur.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sachin Kumar, Advocate.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 3 30-08-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends her arrest in Complaint
Case No. 750 of 2016 instituted for the offence under Sections
120, 120B, 161, 165A, 166 of the Indian Penal Code.
- It is alleged in the written report that Smt. Veena Jha
and Smt. Kumari Veena Jha are aunt and niece in relation. They
were posted as Assistant teacher in the same school. They got
appointed on the post of Assistant teacher illegally by playing
fraud as both were appointed on the basis of same certificates in
connivance with the then local Education Officers. The date of
appointment was 15.12.1987 and 01.12.1977 respectively. The co-



accused Veena Jha was illegally posted till her retirement. They both have retired on 31.5.2016.

It has been submitted on behalf of the petitioner that she took charge as BEO of Vidyapatinagar on 3rd September, 2015 and accused Smt. Veena Jha and Smt. Kumari Veena Jha were appointed as teacher in the year 1987 and 1977. As such, she has no hand in the alleged occurrence.

Considering the facts and circumstances of the case, 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 Complaint Case No. 750 of 2016, 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 Chief Judicial Magistrate, Samastipur, 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	
---	--	---	--

