

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13191 of 2017

Arising Out of PS.Case No. -88 Year- 2016 Thana -NAWAKOTHI District- BEGUSARAI

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Sita Devi, wife of Shree Krishna Rajak, resident of village-Rariauna, P.S.-
Nowkothi, District-Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surendra Kishore Thakur, Advocate

For the Opposite Party : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 22-03-2017

Heard.

The petitioner apprehends his arrest in connection with
Nowkothi P.S.Case No.88 of 2016 pending in the Court of Judicial
Magistrate, Ist Class, Begusarai registered for an offence under
Sections 420, 467, 468, 471 and 474 of the IPC.

The Block Development Officer, Nowkothi, Sheikhpura
submitted written report to the SHO alleging therein that an
enquiry was conducted against this petitioner, (the then Mukhiya)
and Panchayat Secretary relating to irregularities committed by
them in the appointment of Panchayat teachers. After enquiry, it
was found that this petitioner and Panchayat Secretary
fraudulently appointed Sri Arbind Paswan ignoring the merit of
Vikash Chandra Paswan having more marks in percentage.

The counsel for the petitioner submits that the petitioner



had no role in appointment of the Panchayat teachers. It was the Panchayat Secretary who received application from the candidates and issued receiving receipt no.328 to Vikash Paswan. The experience certificate submitted by the candidate Arbind Paswan if is found to be forged, the said candidate would be liable for the legal consequences and not the petitioner or any appointing authority. The said Vikash Paswan has challenged the selection process before the District teachers appointments authorities and the authorities after considering the grievance, dismissed the case as no illegality was found in the process of selection.

The learned APP, on the other hand, opposed the submissions.

It appears that the matter was enquired by the Sub Divisional Officer on the direction of the Incharge Officers of Lokayakut Koshang, Begusarai. The SDM after due enquiry submitted report vide letter no.985 dated 04.09.2012. The name of Vikash Chandra Paswan was not found mentioned in the register in between sl.no.1 to 21 who were called for counseling. The name of Arbind Paswan was not mentioned in the merit list, even then, his selection was made on the basis of forged experience certificate giving weightage of 20 marks.

Considering the specific allegation of committing fraud,



forgery and illegality in the process of Panchayat teachers, I am not inclined to direct the release of the above named petitioner on anticipatory bail. Prayer for bail is, accordingly, rejected.

(Sanjay Kumar, J)

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