

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36319 of 2017**

Arising Out of PS.Case No. -99 Year- 2015 Thana -VIGILANCE District- PATNA

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1. Shiv Kumari Devi Wife of Sushil Kumar Resident of Village -  
Lahladpur, P.S. - Janta Bazar, District - Saran at Chapra.

.... .... Petitioner/s

Versus

1. The State of Bihar through Vigilance.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Ramakant Sharma, Sr. Adv.  
(L.O., Inc.,Vigi)

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

2      19-08-2017                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Special Case No. 43 of 2015, Vigilance Police Station Case No. 99 of 2015, disclosing offences under Sections 420, 467, 468, 471, 120(B), 201 of the Indian Penal Code and Section 13(2) read with 13(1) (D) of the P.C. Act.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the petitioner happens to be Ex-Mukhiya of Gram Panchayat Raj Dandaspur, Lahladpur, Saran for the period since 2006-2011, in which, selection of Panchayat Teachers has been done and merely being the Ex-Mukhiya, the petitioner has been made accused in this case. The



petitioner has not played any role in making appointment of Primary Teacher in terms of Rules or in terms of any guideline or circular, issued by the State time to time rather there happens to be a Selection Committee for appointment of Panchayat Teacher and even as per the allegation, the Selection Committee is responsible for making illegal appointment in which the petitioner has no role to play. Moreover, co-accused, Dipu Kumar, having more or less similar allegation has already been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 34799 of 2016. Hence, the petitioner also deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on 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, in connection with Special Case No. 43 of 2015 arising out of Vigilance P.S. Case No. 99 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Arvind Srivastava, J)**

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