

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47866 of 2017

Arising Out of PS.Case No. -697 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Sima Kumari, Daughter of Mahendra Prasad Singh, Resident of Village-
Katridih, P.S. Katri Sarai, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar
2. Surendra Kumar Saroj, Police Inspector-cum- I.O. of the Vigilance
Investigation Bureau Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

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

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 18-10-2017

Heard Mr. Indeshwari Prasad Mandal,

learned counsel for the petitioner and the Mr. Rakesh Kumar
Sharma, learned AC to Law Officer, Vigilance Investigation
Bureau.

The petitioner is apprehending her arrest in
a case registered for the offences punishable under Sections 409,
420, 467, 468, 471 and 120B of the Indian Penal Code.

The accusation against the petitioner is that
she got appointed as Panchayat Teacher on the basis of forged
certificate of qualifying Bihar Elementary Teachers Eligibility
Test. She consequently jointed as Panchayat Teacher in Primary



School, Mandal Tola, Bihpur.

It is submitted by learned counsel for the petitioner that the petitioner never submitted BETET certificate, hence, there is no question of forgery. It is further submitted that others have been granted anticipatory bail vide Cr. Misc. Nos. 9850 of 2017, 11788 of 2017, 12857 of 2017, 29687 of 2017 and 39002 of 2017. Only show cause has been issued to the petitioner but the service of the petitioner has not been terminated since the authorities have not come to a conclusive finding whether the certificate submitted by the petitioner was forged or not.

Learned counsel for the Vigilance submits that the petitioner got employment on the basis of forged certificate. However, the investigation is still going on.

Considering the fact that still petitioner has not been terminated, it, prima facie, suggests that the authorities have still not come to a definite conclusion with regard to the whole issue, investigation is still going on and the fact that others have been granted anticipatory bail, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of



Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Adampur) P.S. Case No. 697 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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