

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15757 of 2018

Arising Out of PS.Case No. -52 Year- 2017 Thana -KARPI District- JEHANABAD

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Kiran Devi, W/o Sri Satendra Kumar, R/o Village- Satwan,
P.S.- Karpi, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Vigilance Investigation Bureau Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Adv.

For the Opposite Party/s : Mr. Dilip Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 05-04-2018 Heard the learned counsels for the petitioner, the
Vigilance Investigation Bureau and the State.

The petitioner seeks bail in anticipation of her arrest in connection with Karpi P.S. Case No. 52 of 2017, dated 16.03.2017, instituted for the offences punishable under Sections 408, 420, 419, 467, 468, 471, 472 and 34 of the Indian Penal Code.

The Vigilance Investigation Bureau, on inquiry, found the marks-sheets of the contractual Panchayat teachers to be forged and fabricated. A case, therefore, was



lodged against three of such contractual appointees. The petitioner, in her capacity as *Mukhiya* of Gram Panchayat Iara, was one of the members of the selection committee for appointment of the contractual teachers in Gram Panchayat Iara, in the district of Arwal. It is for this act of the petitioner that she has also been made accused in the present case.

Learned counsel for the petitioner has submitted that even if the marks-sheets of the contractual teachers, who were appointed by the committee of which the petitioner was one of the members, was found to be incorrect, no blame could be put on the petitioner who did not have the necessary wherewithals to identify fake or genuine marks-sheets. The petitioner was not the sole member of the committee, but was only one of the members and, therefore, cannot be said to have committed the offences in which the First Information Report has been lodged. There is nothing on record to suggest that knowing the fact of the marks-sheets of the contractual appointees to be fake, they were appointed by the committee of which the petitioner was a member.

Considering the aforesaid facts, let the petitioner, above named, in the event of her arrest or surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail



bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Arwal, in connection with Karpi P.S. Case No. 52 of 2017.

(Ashutosh Kumar, J)

Praveen-II/-

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