

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58469 of 2018

Arising Out of PS. Case No.-18 Year-2016 Thana- ALOULI District- Khagaria

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Lalita Kumari D/o Narayan Sah, R/o Vill.- Sohma, P.S.- Bithan , District-
Samastipur present address W/o Laldev Kumar Anand, R/o Vill.- Karahara
P.S.- Mahishi, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Department of Vigilance , Government of Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 18-12-2018

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Though the Department of Vigilance, Government of
Bihar has been made opposite party no.2, and copy served, nobody
appeared on its behalf when the matter was taken up and heard.

3. The petitioner apprehends arrest in connection with
Alouli P.S. Case No. 18 of 2016 dated 16.01.2016 instituted under
Sections 467, 468, 471, 420, 120(B) and 34 of the Indian Penal
Code.

4. The allegation against the petitioner and others is that
they had obtained forged and fabricated degree on the basis of
which they got employment as teacher.



5. Learned counsel for the petitioner submitted that she is a lady and that the degree obtained by her was not from a forged institution as the College where she studied is in existence. It was further submitted that the degree may not be recognized or accepted for employment but that could not make the degree forged or fabricated. It was further submitted that similarly situated persons have been granted anticipatory bail by various Benches of this Court.

6. Learned A.P.P. submitted that the F.I.R. has been instituted on the basis of report submitted by the Police Inspector of the Vigilance Investigation Bureau, Patna in which it is clearly mentioned that the degree of Intermediate obtained by the petitioner was forged and fabricated as also the examination. It was submitted that the same was in the name of *Madhyamik Shiksha Parishad, Delhi* which, during investigation, has been found to be a fake institution and thus, even the so-called examination has been found to be fake. It was further submitted that the matter relates to purity in the system where merit is the casualty as persons having forged and fabricated certificates take employment ousting real and genuine candidates who have worked hard for obtaining such qualification. It was submitted that such cases have become so rampant that the Court may not grant any



indulgence in such matters. It was further submitted that the petitioner being the ultimate beneficiary of the degree/certificate, obviously is the main suspect as it can be safely presumed that at her instance, such forgery was committed.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the application stands dismissed.

8. However, if the petitioner surrenders before the court below and prays for bail, the same shall be considered and disposed off on its own merit, without being prejudiced by the present order, preferably on the same day.

(Ahsanuddin Amanullah, J)

Nasimul/-

AFR/NAFR	
CAV DATE	
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