

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62809 of 2017

Arising Out of PS.Case No. -549 Year- 2016 Thana -KOTWALI District- PATNA

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1. Mamta Kumari, Wife of- Dinesh Kumar, Daughter of- Late Vijay Kumar,
Resident of Mohalla- Kurji, Kothiya, P.S.- Digha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bateshwar Nath Pandey, Son of- Not Known by the petitioner, Registrar
Vigilance, Patna High Court.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr.
Advocate, Mr. Chandra Mohan Jha,
Advocate

For the Informant : Mr. Satyabir Bharti, Ms. Aparna Arun,
Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP-43

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 30-01-2018 Heard learned counsel for the petitioner and the learned
counsel representing the State.

The petitioner apprehends her arrest in connection with
Kotwali P.S. Case No. 549 of 2016, G.R. No. 7381 of 2016
registered for the offences punishable under Sections
420,467,468,471,472,192,196,197,199,200,34 of the Indian Penal
Code.

Allegedly, to obtain bail forged copy of UPC was used in
Cr. Misc. No. 28801 of 2016 and accordingly, on the basis of
order passed in that Cr. Misc., Registrar (Vigilance), Patna High
Court hold an enquiry and lodged the first information report.

Submission is of false implication that in Cr. Misc. No.
28801 of 2016, the petitioner has not sworn affidavit rather her



brother Uttam Raj has sworn affidavit and the Registrar (Vigilance) in the last para of written report has requested to lodge a substantive case against the deponent Sri Uttam Raj and not against the petitioner. Further, the petitioner has already lost her job, she is a lady and is being harassed.

Learned APP duly assisted by Ms. Aparna Arun J.C. to Mr. Satyabir Bharti opposes the prayer of pre-arrest bail of the petitioner by submitting that in the first information report the petitioner is accused no. 2 and to get bail the petitioner got filed forged copy of under postal certificate and used the same in judicial proceeding and as such she is equally liable for prosecution.

In the facts and circumstances stated above, I am not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, this prayer of the pre-arrest bail of the petitioner stands rejected.

However, in case and if so advised, the petitioner surrenders in the court below within six weeks from today and seeks regular bail then her prayer of regular bail shall be considered on its own merit without being prejudiced by this order.

(Jitendra Mohan Sharma, J)

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