

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6704 of 2018

Arising Out of PS.Case No. -136 Year- 2017 Thana -AMAS District- GAYA

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Anita Devi @ Amita Devi, W/o Lakashman Paswan, R/o Village- Rampur
Amas, P.S.- Amas, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The State of Bihar through the Vigilance Department, Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate.

For the Opposite Party/s : Md. Ansarul Haque, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends her arrest in **Amas P.S.**

Case No. 136 of 2017 instituted for the offence under Sections
409, 420, 467, 468 and 471 of the Indian Penal Code.

The allegation against the petitioner is that certificates
of the petitioner was verified who was posted at Tilaiya Primary
School since 26.2.2007. On perusal of the record it transpired that
name of this petitioner is mentioned in Sl. No. 2 and the
percentage of marks obtained by her in Matriculation is 52%
whereas in intermediate she obtained 74.06%. As per application
submitted by this petitioner, she passed inter examination from
Kameshwar Singh Darbhanga Sanskrit University in the year
2003 and on verification of the certificate from the said



University, it was found that her certificate was wrong. It is further alleged that the appointment letter of the petitioner was issued by the joint signature of Panchayat Secretary and Mukhiya.

Learned counsel for the petitioner has submitted that the instant case has been filed against the petitioner in terms of observation of this Hon'ble Court in CWJC No. 15459 of 2014. It has further been submitted that petitioner is a lady and she has been removed from her service. The petitioner will co-operate the investigating agency in investigation of the case.

Learned counsel for the Vigilance has appeared and submitted that the investigation before the police is still pending.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Amas P.S. Case No. 136 of 2017**, she shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **Shri Gorakh Nath Dubey, learned Judicial Magistrate, 1st Class, Sherghatti, Gaya**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the



jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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