

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16860 of 2019

Arising Out of PS. Case No.-101 Year-2018 Thana- BEERPUR District- Begusarai

Nisha Kumari aged about 41 years (Female) D/O- Bhuvneshwar Prasad Srivastava, W/o - Niranjana Kumar Sinha, Resident of Village Bhawanandpur, P.S.- Birpur, District - Begusarai

... .. Petitioner

Versus

The State Of Bihar Through Vigilance Investigation Bureau, Muzffarpur Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Nakul Kumar Jamuar, Advocate
For the Vigilance	:	Mr. Anjani Kumar, Sr. Advocate Mr. Sanjay Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and learned counsel for the Vigilance Department.

2. The petitioner apprehends her arrest for the offences alleged under Section 420, 467, 468, 471, 120(B) and 34 of the IPC registered in connection with Birpur P.S. Case No. 101 of 2018.

3. It is submitted that the petitioner has been falsely implicated on the accusation that she has got employment as Panchayat Teacher on the basis of forged certificate and marksheet of Bihar School Examination Board, which on verification by the authorities was found not to have been issued by the Bihar School Examination Board, Patna. A statement is made at the Bar that the petitioner has since been dismissed from service. The petitioner claims clean antecedents.

4. Learned counsel for the Vigilance Department opposes the anticipatory bail petition, submitting that this is out and out a case of fraud as the petitioner produced the forged certificate in the name of Akhilesh Kumar Singh.

5. Be that it may, in the event of petitioner's arrest or



surrender within four weeks hereof let the above named petitioner be released on provisional anticipatory bail on furnishing bail bond of Rs.10,000/- [ten thousand] with two sureties of like amount each to the satisfaction of learned ACJM Ist, Begusarai in connection with Birpur P.S. Case No. 101 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C. and also with further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall be well represented in Court on each and every date during trial except as and when directed by the learned Court to be present physically present, and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

6. The provisional bail shall be confirmed upon verification that the petitioner has been dismissed from service.

7. The authorities shall be at liberty to take steps for recovery of the salary already drawn by the petitioner during his employment as Panchayat Teacher.

BT/-

(Vikash Jain, J)

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