

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24934 of 2019

Arising Out of PS. Case No.-350 Year-2018 Thana- DHANARUA District- Patna

KIRAN DEVI Wife of Jitendra Ram @ Jitendra Kumar Resident of Village-
Mirzachak, P.S.- Dhanarua, District- Patna, Ex Mukhiya Gram Panchayat Raj
Hulas Chak Veer, Block Dhanarua, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar
2. The Vigilance Investigation Bureau, through the superintendant of Police,
Patna Bihar

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr.Sushil Kumar Jha, Advocate
For the State	:	Mr.Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

6 17-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with
Dhanarua P. S. Case No.350 of 2018 registered under Sections
420, 467, 468, 471, 196, 197, 198, 199, 201 and 120B of the
Indian Penal Code.

Learned counsel for the petitioner contended that the
appointment of teacher is chain of process, which starts from
inviting application, preparation of merit list, counseling etc.,
followed by the approval of appointment, verification of
certificate so submitted, in which the Mukhiya has no role. She
had been made accused in the case as she presided over the



meeting of the selection committee. On the basis of merit list, appointment was made after counseling wherein certificate, etc. were compared with the original document so produced by the concerned candidate and verified and were sent to the District Officer for verification of genuineness of the documents so produced by the candidate concerned as a follow up action. Subsequently, the vigilance conducted inquiry and found that BETET certificate of one of the selected candidates Resham Kumari was fake one. As far as the petitioner is concerned, there is no allegation that in any manner, she conspired together with Resham Kumari or helped her in obtaining appointment on the strength of forged testimonial or she shielded her from any inquiry in course of investigation.

On the other hand, learned counsel appearing for the Vigilance and the State have submitted that the case is under investigation. The petitioner is named in the FIR. She being the Chairman of the Appointment Committee cannot be held to be innocent in the matter.

Having heard learned counsel for the parties, considering the facts and circumstances of the case, as also the statement made in paragraph 3 of the application that the petitioner has got no criminal antecedent, in the event of arrest



or surrender before the court below, she is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Masaurhi, District-Patna in Dhanarua P. S. Case No.350 of 2018 , subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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