

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18613 of 2019

Arising Out of PS. Case No.-349 Year-2009 Thana- SAUR BAZAR District- Saharsa

KHUSHBU KUMARI D/o Pramod Kumar Jha Resident of Village - and P.O.
- Saharsa, Distt - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Sharma, Adv.

For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 467, 468, 471 and 420 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report of Block Education Officer, Saur Bazar submitted before the Station House Officer, Saur Bazar Police Station is to the effect that certificates of about forty persons were found forged and fabricated at the time of document verification submitted for seeking appointment as physical teachers.

It is submitted by learned counsel for the petitioner that forty candidates made application for seeking appointment on the post of physical teacher, but the certificate submitted by



them for the said post were found forged, as a result, they were not given appointment. It is further submitted that similarly situated co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court vide orders dated 31.01.2014 and 24.06.2014 passed in Criminal Miscellaneous Nos.41657 of 2013 and 18065 of 2014 respectively. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner is named in the FIR and alleged to have submitted forged certificate for obtaining appointment.

It appears that the FIR was registered in 2009, but neither the informant deliberated as to what kind of certificate has been found forged nor does the impugned order reflect the nature of certificate. It further appears that the learned Sessions Judge has recorded in the impugned order that though the case was lodged in the year 2009, but the investigation is still continuing and no steps have been taken by the learned CJM, Saharsa for obtaining present stage of the case or expediting the investigation.

Considering the fact that on the basis of the alleged certificate, no appointments were made, co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of



this Court and the petitioner is a lady coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Saharsa in connection with Sour Bazar P.S. Case No.349 of 2009, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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