

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29908 of 2019

Arising Out of PS. Case No.-508 Year-2018 Thana- SUPAUL District- Supaul

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1. Kiran Devi W/o Ram Lakhan Thakur, Resident of Village- Laukaha, Ward No.6, P.S. and District- Supaul
 2. Ghutar Prasad Yadav @ Dhutar Prasad Yadav @ Chhutar Pd. Yadav S/o Late Pokan Yadav, Resident of Village- Hullas, P.S.- Raghapur, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Dy S.P. Vigilance, Bihar, Patna. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh
For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 08-05-2019 Heard both sides.

The petitioners apprehend their arrest in Supaul P.S.
Case No.508 of 2018 registered under Sections 198, 420, 467,
468, 471, 577(A) and 120(B) of the Indian Penal Code.

The gist of allegation that the petitioners being mukhiya and panchayat secretary of Laukaha panchayat appointed Hira Kumari and Sudha Kumari on the post of panchayat teachers, although Hira Kumari and Sudha Kumari had submitted their forged and fabricated certificates.

Learned counsel for the petitioners submits that there was a Committee for selection of candidates for appointment on the post of panchayat teachers. The petitioners were also



members of the Committee but the Block Education Officer authorized the senior most teacher and two others to verify the educational qualification. The petitioners were not aware about the fake and forged certificates submitted by the candidates. Both beneficiaries were terminated from their services. It is further submitted that one of the beneficiaries (Hira Kumari) of such fraud, who got appointment on the post of panchayat teacher on the basis of forged and fabricated certificates, has already been granted anticipatory bail by a coordinate bench of this court by order dated 09.01.2019 passed in Cr.Misc.No.75937 of 2019.

On the other hand, Mr. Ajay Kumar Mishra, learned counsel for the opposite party, submits that the petitioners were also members of the Committee who were authorized to scrutinize the certificates and make appointment on the post of panchayat teachers, but did not dispute the fact that the beneficiary of such fraud got anticipatory bail by a coordinate bench of this Court.

Having considered the facts aforesaid and the fact that the person, who got appointment after submitting forged and fabricated certificates such as Hira Kumari, has already been granted anticipatory bail, the above named petitioners, in the



event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Supaul in connection with Supaul P.S. Case No.508 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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