

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27360 of 2019

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

Lilawati Kumari wife of Rajendra Paswan Resident of Village-
Bhawanandpur, Police Station- Birpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar through The Additional Director General, Bihar Vigilance,
Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Dr. Amrendra Kumar, Advocate
		Ms. Sanjana, Advocate
For the Opposite Party/s	:	Mr. AC to L.O. Inc., Vigi.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed the instant application for anticipatory bail apprehending her arrest in connection with Birpur P.S. Case No. 101 of 2018 registered for the offence punishable under sections 467,468,471,420, 120B and 34 of the Indian Penal Code.

The allegation as per the FIR is that the matter in connection with appointment of teachers was enquired into by the Vigilance Department pursuant to an order passed in a Public Interest Litigation. It transpires that the large number of accused persons including the petitioner herein had obtained the appointment on the basis of forged certificates.

It is submitted by learned counsel for the petitioner that



the petitioner is a lady, she has been falsely implicated in this case. In fact she was appointed by the local Mukhiya who misappropriated her certificates and got her appointed in order to oblige her husband. It is further submitted that if she had committed any wrong, she would have resigned from service during the opportunity granted by the Hon'ble High Court.

It is submitted by learned counsel for the Vigilance Department that the petitioner is named in the FIR, there is direct allegation against her which has been verified from the records available in the Bihar School Examination Board. It is further submitted that there is no statement to the effect that she has even subsequently resigned from her service and in some of the similarly situated matters, the Court has directed that the amount of the remuneration etc., received by the accused persons be returned to the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegations as also that the petitioner is a lady with clean antecedent, the court is inclined to enlarge the petitioner on bail. The petitioner above named, in the event of her arrest or surrender in the court below within a period of six weeks from today in connection with Birpur P.S. Case No. 101 of 2018 is directed to be enlarged 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 the learned Additional Chief Judicial Magistrate I, Begusarai subject to the conditions as laid down in Section 438 (2) of Criminal Procedure Code.

It is further directed that the petitioner shall co-operate in the investigation and she shall remain personally present on each date in course of trial. In case of her absence on two consecutive dates without any just explanation to the satisfaction of the Court below, the court below shall take steps for cancellation of her bail.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

