

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29259 of 2019

Arising Out of PS. Case No.-248 Year-2018 Thana- BUXAR INDUSTRIAL District- Buxar

Sweta Rai, Wife of Ravi Shankar Rai Resident of Mohalla - Sumeshwar
Asthan, Jail Road, P.O. Central Jail, Buxar, P.S.- Buxar Town, District - Buxar

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Vigilance Investigation Bureau, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv.
		Mr. Nilesh Kumar, Adv.
For the Opposite Party/s	:	Mr. Ajay Mishra, APP
For the Vigilance	:	Mr. Sanjay Kumar

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 06-05-2019 Heard learned counsel for the petitioner, learned
counsel for the Vigilance and the learned A.P.P. for the State.

The petitioner apprehends her arrest in a case registered for the offences punishable under Section 109, 193, 203, 205, 219, 419, 420, 467, 468, 471 & 120-B of the Indian Penal Code.

Petitioner along with other accused persons including Bibha Kumari are said to have joined as Panchayat Shiksha Mitra in Middle School, Ahirauli and the Headmaster of the aforesaid School, namely, Baban Pandey, who happens to be father-in-law of the Bibha Kumari, manufactured a forged register showing the aforesaid Bibha Kumari petitioner and



others continuing on duty after cut off date i.e. after 30.06.2006 to facilitate their absorption as Panchayat Shikshak in the said School. Subsequently, during the course of hearing of the writ petition filed by the said Bibha Kumari the matter was detected and the aforesaid register was found to be forged and this Court directed for extensive enquiry in the matter and on enquiry the aforesaid register was found to be forged and manipulated.

Learned counsel for the petitioner submitted that no such occurrence as alleged ever took place. The petitioner is quite innocent and has been falsely implicated in this case. Though her signature is on the aforesaid register but she has not put the signature on it out of her sweet will to take benefit of the same rather under pressure of the Headmaster of the School. She had also filed the writ petition on the basis of earlier register and not on the second one and as she was not found continued the service of Shiksha Mitra after the cut of period, she has lost the case and she has not taken the benefit of the aforesaid second register. She has no role in the aforesaid occurrence. She has no criminal antecedent. The said Bibha Kumari has been enlarged on bail by a coordinate Bench of this Court in Cr. Misc. No.21604 of 2019 vide order dated 20.02.2019.



On the other hand, learned counsel for the Vigilance opposing the bail petition submitted that the aforesaid second forged register prepared by the Headmaster of the School also bears the signature of the petitioner which indicates the complicity of the petitioner in the occurrence. Hence, the petitioner does not deserve bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of four weeks from today, 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 C.J.M., Buxar in connection with Audyogik Kshetra (Industrial Area) P.S. Case No. 248 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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