

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37151 of 2019

Arising Out of PS. Case No.-412 Year-2009 Thana- PIRBAHOR District- Patna

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KUMARI PREMLATA D/O- Sri Rameshwar Prasad Chaudhary Resident of -
Mohalla Saidpur, P.S.- Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-06-2019 Heard both sides.

The petitioner apprehends her arrest in Pirbahor P.S.
case No. 412 of 2009 registered under Section 467, 468, 471,
420 of the IPC.

The present case was registered on the basis of written
application given to the Officer-in-charge, Pirbahor P.S. by the
Registrar, Patna University. It is alleged in the application that
from the office of His Excellency, Governor of Bihar, a letter
bearing No. 3991 was received for admission of the petitioner in
B. Ed course in Patna University. Having received the letter the
Registrar, Patna University, sent the letter to the office of the
Chancellor for its verification and it transpired that no such
letter was issued from the office of the Chancellor making
recommendation for admission of the petitioner in B. Ed course



under sports quota and on such facts the FIR was lodged.

The learned counsel for the petitioner submits that during the course of investigation, it transpired that one Pappu Kumar @ Brajesh has assured the petitioner to get her admitted in B. Ed course of Patna University under sports quota and it was Pappu Kumar who managed to get the letter issued allegedly from the office of the Chancellor but in fact the letter was found fake. The I.O. after investigation submitted final report finding the case false against the petitioner and the case was found true only against Pappu Kumar and Haribansh Sharma but the learned court below took cognizance against the petitioner also. Pappu Kumar @ Brajesh has already been granted anticipatory bail vide order passed in A.B.P. No. 1131 of 2011.

The learned counsel for the State vehemently opposed the prayer for anticipatory bail but could not be able to show that any material has come against the petitioner during the course of investigation in order to show that at the instance of the petitioner fake letter was issued whereas the I.O. found no material against the petitioner that it was the petitioner who got the fake letter issued.

Considering the facts aforesaid and nature of



allegation made against the petitioner and the fact that police after investigation submitted final form finding the case false against the petitioner, the petitioner, above named, in the event of her arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st class, Patna in connection with Pirbahor P.S. case No. 412 of 2009, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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