

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44355 of 2019

Arising Out of PS. Case No.-61 Year-2019 Thana- GOVINDGANJ District- East Champaran

SHOBHA DEVI, Wife of Janardhan Pandey Resident of Bediban Madhuban,
P.S.- Pipra, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shri Prakash Srivastava

For the Opposite Party/s : Mr.Satyavrat Verma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-07-2019 The petitioner apprehends her arrest in connection with Govindganj P. S. Case No. 61 of 2019 registered under Sections 420, 467, 468 and 511 of the Indian Penal Code.

Allegation against the petitioner, as per FIR lodged by the Block Education Officer, Areraj is that the petitioner had preferred a writ application bearing CWJC No. 3315 of 2016 in which this Court while disposing the writ application observed that in case, it is found that the claim of the petitioner is based on forged and fabricated documents, the respondents are obliged to take steps for criminal prosecution against the petitioner for making false claim and placing reliance on the fabricated documents. In contemplation to the order, matter was inquired and on the basis of allegation that petitioner made false claim, present FIR has been lodged.



Learned counsel for the petitioner submits that petitioner had filed a writ application claiming retiral benefits of her deceased father, who was working as an Assistant Teacher. He further submits that prior to filing of writ application, the mother of the petitioner had also filed a writ application before this Court, which is Annexure-3, in which certain orders were passed. Learned counsel further submits that petitioner has filed the similar documents, which were relied upon by her mother by filing the writ application, and has taken this Court to Annexures 8 and 9, having enclosures of documents, which were filed by the petitioner along with the writ application. He submits that in the FIR, informant admittedly went for verification of records in the school and found that no documents pertaining to service of the petitioner's father were available there. Learned counsel further submits that petitioner has falsely been implicated by the officials of the Government only due to the fact that for non-compliance of the order, the petitioner had filed a contempt petition against the informant also as such petitioner has been dragged in a false and concocted case based upon the irrelevant facts.

After having heard learned counsel for the parties and taking into consideration the fact that petitioner is daughter of



late Ram Narain Pandey, who was working as Assistant Teacher, and the petitioner was pursuing for payment of retiral benefits of her father and the fact that in the Will entire moveable and immoveable property has been given to the petitioner by her mother and further the petitioner, in her representation, has submitted all the documents before the authority, which were not found to be forged at all, accordingly, I am inclined to grant privilege of anticipatory bail to the petitioner.

Let petitioner, abovenamed, in the event of arrest or surrender within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran in connection with Govindganj P.S.Case No. 61 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

U		T	
---	--	---	--

