

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57274 of 2019

Arising Out of PS. Case No.-225 Year-2011 Thana- BAKHARI District- Begusarai

SMT. MANJU KUMARI @ MANJU KUMARI W/o Saroj Das Resident of
Village - Khapariyawan, P.S.- Katkansandi, dist.- Hazaribagh (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-09-2019 The petitioner apprehends her arrest in connection with Bakhri P. S. Case No. 225 of 2011 registered under Sections 420,467,468 and 471 of the Indian Penal Code.

Allegation against the petitioner, as per FIR, is that appointments made by the petitioner on the post of Anganbari Sevika and Sahayika at 10 Mini and 4 additional Anganbari Centre, were found to be illegal on an enquiry held by the Sub Divisional Officer.

Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in this case inasmuch as appointment was done in a proper manner and all the appointees of the petitioner had approached this Hon'ble Court in CWJC NO. 57 of 2012 and this Hon'ble Court, by its order dated 09.04.2012 held that the District Magistrate is the



competent authority to pass order and accordingly, directed them to file their show cause before the District Magistrate. Learned counsel, relying upon Annexure-3, which is order passed by the District Magistrate, Begusarai, submits that in pursuance of order dated 09.04.2012 passed in CWJC No. 57 of 2012, the District Magistrate, by order dated 30.08.2013, after considering the show cause filed by the 08 writ petitioners, petitioner Gulnaz Ansari was directed to submit her joining as Anganbari Sevika at Centre No. 113. Learned counsel further submits that altogether 08 Anganbari Sevika have been directed to be reinstated by the District Magistrate after considering their respective show cause. Learned counsel further submits that delay in approaching this Court for grant of anticipatory bail has caused due to the fact that petitioner had earlier moved quashing application before this Court in Cr. Misc. No. 38545 of 2011 in which interim protection was given to the petitioner.

After having heard learned counsel for the parties and taking into consideration the fact that even after disposal of quashing application in 2014, the petitioner has approached this court after much delay of about 5 years, accordingly, I am not inclined to exercise my discretion for grant of privilege of anticipatory bail to the petitioner as such the same is rejected.



However, in case, petitioner surrenders before the court below within a period of three weeks and files application for regular bail, the same shall be considered on its own merit without being prejudiced to the fact that present application has been dismissed by this Court.

(Anil Kumar Sinha, J)

sujit/-

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