

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26973 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- ALIPUR District- Gaya

1. Pramila Kumari, D/o Arjun Prasad, Resident of Village-Panania, P.S.- Imamganj, District-Gaya.
2. Vimla Kumari, D/o Dwarika Prasad, Resident of Village-Koiri Bigha, P.S.- Konch, District-Gaya.
3. Renu Kumari, D/o Shyambihari Prasad, Resident of Village-Kunjesar, P.S.- Imamganj, District-Gaya.

... .. Petitioner/s

Versus

The State Of Bihar Through Superintendent Of Police, Vigilance
Investigation Bureau, Deptt. Of Vigilance, 6 Circular Road, Patna, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Arvind Kumar, Spl.P.P. (Vigilance)

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 13-11-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

The petitioners are apprehending their arrest in connection with Alipur P.S. Case No.3 of 2020 registered for the offence punishable under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.



The petitioners are accused of having obtained appointment on the basis of false and fabricated testimonials, for which a vigilance case was lodged.

It is submitted by Mr. Sanjay Kumar, learned counsel appearing for the petitioner that a supplementary affidavit has been filed, in which resignation of the instant three petitioners sent to the Panchayat Secretary resigning from their job as Panchayat Teachers has been placed on record as Annexure 3 series. Petitioners' counsel submits that in view of the resignation, they ceased to be Panchayat Teachers and are not the beneficiaries of the alleged illegal appointment. It is submitted that submission of the resignation is without prejudice to their rights and contention that may be raised in the trial.

Learned Special P.P. for the Vigilance have appeared.

It is submitted by Mr. Arvind Kumar, Spl.P.P (Vigilance) that the copy of the supplementary affidavit has not been communicated to him on his e-mail. Petitioners' counsel submits that the same has been sent through electronic mode to the Office of the learned Advocate General and a copy of the same would also be sent to Mr Arvind Kumar, learned Special P.P. for the Vigilance on his e-mail, during the course of the day.

Considering the aforesaid submissions, this Court is



inclined to allow petitioners' prayer for grant of anticipatory bail.

Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gaya, in connection with Alipur P.S. Case No.3 of 2020, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

(i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks



from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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