

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39071 of 2020

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Seema Kumari (teacher) aged about 31 years daughter of Basudeo Prasad, wife of Nil Prasad Sah @ Sunil Prasad Sah, resident of village-Netar, P.S. Daniyawa, District- Patna presently posted at village-Vijay Nagar, Block-Rajgir, P.S. Silao, District-Nalanda

----- Petitioner

Versus

The State of Bihar

----- Opposite Parties

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Appearance:-

For the Petitioner:- Mr. Anil Kumar Singh, Advocate

For the State :- Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2. **01.06.2021** The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and

Shri. Gauri Shankar Gupta, learned A.P.P. for the State.

The petitioner apprehends her arrest in connection with Silao P.S. Case No. 235 of 2019 for the offence registered under Sections 467, 468, 420, 120(B)/34 of the Indian Penal Code.

The allegation is regarding the petitioner having fraudulently interpolated her marks sheet pertaining to Madhyama examination of the year 2007, with the motive of dishonestly gaining employment as a teacher.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and she is having a clean antecedent. The learned counsel for the petitioner has submitted that the petitioner has already been suitably punished inasmuch as she has lost her job as a teacher after her services have been terminated by the department concerned. It is further submitted that the petitioner is ready to face trial on a day today basis and would not tamper with the evidence.

Per contra, the learned A.P.P. for the State Shri. Gauri Shankar Gupta has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner has already been suitably punished inasmuch as she has been terminated from her services, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of her arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Silao P.S. Case No. 235 of 2019

subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

It is needless to state that the petitioner shall appear before the learned court below on each and every date so fixed by it, failing which the prosecution shall be at liberty to move this Court for cancellation of the present privilege of anticipatory bail being extended to the petitioner herein.

(Mohit Kumar Shah, J)

S.Sb/-