

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12462 of 2021

Arising Out of PS. Case No.-44 Year-2020 Thana- MADHWAPUR District- Madhubani

KIRAN KUMARI W/O SRI VINOD KUMAR MAHTO, RESIDENT OF
WARD NO. 9, VILLAGE BARA TOLA, P.O. AND P.S. SAHARGHAT,
DISTRICT MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh

For the Opposite Party/s : Mr. Ajit Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 10-01-2022 Heard the learned counsel for the petitioner as well as

the learned Additional Public Prosecutor for the State through

virtual mode.

The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

The petitioner apprehends her arrest in connection with

Madhwapur P.S. Case No. 44 of 2020 registered for offence

punishable under sections 420, 467, 468, 471 and 120B of the

Indian Penal Code.

The allegation against the petitioner is that by

producing false certificate, she has been successful in getting

employment as Teacher (Panchayat Shikshika). The FIR shows



that an enquiry was conducted and after enquiry, the Examination Controller, Bihar Sanskrit Shiksha Board, Patna, vide Letter No. 714 dated 31.07.2019, reported that the certificate of Kiran Kumari was forged as per record of the Sanskrit Shiksha Board. It has been mentioned in the report that the roll number of Kiran Kumari has been mentioned as 440, whereas the result has been declared only upto roll number 432.

The learned counsel for the petitioner has drawn my attention towards Annexure-2 as well as Annexure-4, which have been filed with supplementary affidavit. Annexure-2 is the report dated 07.06.2020 of the Head Master of Janta Prathmik-Sah-Uchch Sanskrit Vidyalaya, Raima, Madhubani in which it has been mentioned that Kiran Devi appeared in Madhyama Examination in the year 2004 and her roll number was 440 and she passed the examination in 1st Division. Annexure-4 is the letter dated 24.03.2021, which has been sent by the Examination Controller, Bihar Sanskrit Shiksha Board, Patna to Secretary, State Scheduled Castes Commission, Bihar, Patna and the Examination Controller in its report has mentioned that the matter was inquired by the Three-Members Committee and after considering the report of Three-Members Committee, the Board in its meeting dated 21.03.2021, took decision for



recommendation of announcement of the result in favour of Kiran Kumari.

The learned counsel for the petitioner has submitted that although in preliminary enquiry, the certificate of Kiran Kumari was found not in pari materia with the documents, but later on the Board itself in its meeting dated 21.03.2021 has given its recommendation in favour of Kiran Kumari.

Considering the above mentioned facts and circumstances, the petitioner above named, in the event of her arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Benipatti, Madhubani in connection with Madhwapur P.S. Case No. 44 of 2020, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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