

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15280 of 2021**

Arising Out of PS. Case No.-407 Year-2019 Thana- KHAIRA District- Saran

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SUNITA KUMARI Wife of Dilip Kumar Village - Affar ward 4, P.S.- Khairi,
Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kanchan Kumari

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-01-2022 Heard the learned counsel for the petitioner

and the learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Khaira P.S. Case No. 407 of

2019 instituted for the offences under Sections 420, 467,

471 and 120B of the Indian Penal Code.

The accusation against the petitioner is that even

though she did not have the requisite marks, she has

been appointed as Aanganbadi Sevika in place of one

Sarita Kumari, who has higher marks than the petitioner.



The learned counsel for the petitioner has been submitted that the F.I.R. has been lodged by a person, who claims to be related to aforesaid Sarita Kumari. What was the circumstance in which the petitioner was appointed as Aanganbadi Sevika in preference to aforesaid Sarita Kumari is not known. Even if the petitioner has lesser marks than one of the other contenders for the post, that would not be sufficient evidence to saddle her with the charge under Section 420, 467 or 471 of the I.P.C. even with the aid of Section 120B of the I.P.C.

For the vagueness of the accusation and the offences not having been made out against the petitioner, she is directed to be released on bail, in the event of her arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate -I, Chapra at Saran, in connection with Khaira P.S. Case No. 407 of 2019, subject to the condition



laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Ashutosh Kumar, J)

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