

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5181 of 2022**

Arising Out of PS. Case No.-111 Year-2021 Thana- SANHAULA District- Bhagalpur

BIGYANI KUMARI Wife of Bibhuti Singh @ Bibhuti Kumar Singh Resident of Village- Makarpur, P.S.- Sanhaulla, District- Bhagalpur, at present posted as Assistant Teacher Primary Scholl, Faridampur, Block- Sanhaulla, Districtg- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Ajay Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 18-08-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 467, 468, 471, 409, 420 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that after verification, a report has been received from Bihar School Examination Board, Patna vide letter dated 17.03.2021 that the Certificate and Mark Sheet of the petitioner, who is employed as Panchayat Teacher, is fake.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is



next submitted that in a mechanical manner the investigation is being carried out, it is further submits that the learned counsel draws the attention of the Court to Annexure-4 to the anticipatory bail application to submit that Appeal Case No. 16 of 2013 was preferred by the petitioner before the District Education Appointment Appellate Authority, Bhagalpur with respect to the issue in question in the present FIR, it is next submitted that from bare perusal of the order dated 27.09.2013 passed by the learned authority, it would manifest that the learned Education Appellate Authority has held that the petitioner in intermediate had got 490 marks and not 530 and accordingly it was directed that her appointment shall be maintained and also the authorities were directed to accept her joining. It is next submitted that till date the authorities have not born in appeal against that order and the said order is in existence, as such until and unless the said order is set aside it cannot be alleged that petitioner based on fake Mark Sheet got the appointment.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, but is not able to meet the submissions of the learned counsel for the petitioner with respect to Annexure-4 to the anticipatory bail application.



Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sanhaulla P.S. Case No. 111 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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