

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12515 of 2022

Arising Out of PS. Case No.-134 Year-2019 Thana- BEN P.S. District- Nalanda

SATYA KUMARI Daughter of Dwarika Prasad Panchayat Teacher, Primary School Lalganj, P.S.- Ben, District- Nalanda, at Present Residing with her Husband Indrajeet Kumar, Village- Kharjamma, P.S.- Islampur, District- Nalanda (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-07-2022 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Ben P.S. Case No. 134 of 2019 registered for the offence under Sections 420, 467, 468, 471, 477(A), 183 and 120(B) of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 27.10.2021.

The allegation against the petitioner is to got service of Panchayati Teacher on the basis of false and fabricated educational certificate.



Learned counsel appearing on behalf of the petitioner submitted that petitioner has falsely been implicated in the present case. It has further been submitted that from bare perusal of the FIR, it appears that verification has been made from the website of CBSE Board and not from the original record. It has also been submitted that the petitioner is a lady and a person of clean antecedent. It has further been submitted that similarly situated co-accused person has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 57812 of 2021 dated 03.02.2021. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that verification has been made from website of CBSE Board, as per FIR.

Considering the facts and circumstances as mentioned above, as the verification is from the website and not from original records coupled with the fact that petitioner is lady and charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection



with Ben P.S. No.134 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-VI, Nalanda, subject to the following conditions:

“(i)Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Tarakant Kumar, who is the Nephew of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S. Sen/-

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