

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12726 of 2022

Arising Out of PS. Case No.-350 Year-2021 Thana- SIMRI District- Buxar

KIRAN KUMARI D/O RAMESHWAR CHOUDHARY, W/O DADAN CHOUDHARY R/o village- Nokhpur, P.S.- Murar, District- Buxar, at Present Village- Amsari, P.S.- Murar, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh

For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 14-06-2022 Heard learned counsel appearing on behalf of the petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with Simari P.S. Case No. 350 of 2021, for the offence punishable under Sections 419, 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

The prosecution case, in brief, is that petitioner was appointed as Panchayat Teacher on the basis of forged certificate.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was appointed on the post of Shiksha Mitra and at the time of her appointment, all the relevant



documents produced by her have thoroughly been examined and verified by the concerned authorities. But, unfortunately, on re-verification in the light of order passed by this Court in C.W.J.C. No. 15459 of 2014, the documents produced at the time of appointment of the petitioner were found to have been forged and fabricated and on that ground the petitioner has been dismissed from her services. Even after her dismissal from service for the alleged offence, she is being prosecuted in this case and she is rotting in judicial custody since 10.01.2022. He further submits that other co-accused persons against whom similar allegation has been made have already been released on bail by a co-ordinate Bench of this Court and the petitioner is also entitled to be released on bail on any condition imposed by this Court.

Learned Special P.P. Vigilance, has opposed the prayer for grant of bail to the petitioner. He submits that Chargesheet has not been submitted in the present case and as such there is every likelihood of tampering the evidence or influencing the witnesses.

Considering the aforementioned facts and circumstances of the case and the fact that other co-accused have already been enlarged on bail and there is no possibility of



trial being concluded in near future, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Simari P.S. Case No. 350 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after her release on bail, the trial Court shall take steps to cancel her bail bonds.

(Purnendu Singh, J)

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