

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18014 of 2022**

Arising Out of PS. Case No.-60 Year-2017 Thana- KATHAIYA District- Muzaffarpur

ASHA KUMARI Wife of Anil Kumar Resident of Village and P.O. Rampur
Bheriyahi, P.S. Kathaiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awnish Kumar, Advocate

For the Opposite Party/s : Ms. Dr. Indiar Kumari, A.P.P.

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

2 23-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 406, 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

The informant alleges that petitioner was appointed as Government Teacher in Saghanpura Middle School at Rampur Bheriyahi, Panchayat below the age of 18.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, her service dispute has been given color of a criminal case, it is next submitted that if the petitioner was appointed as teacher without having the requisite qualification of age then it is not only the petitioner who is responsible but also the authorities who appointed her and



confirmed in the service are equally responsible. Learned counsel next submits that the law is clear that as to how such cases are to be dealt, it is thus submitted that criminal case is absolutely an abuse of the process of the Court.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her 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 Kathaiya P.S. Case No. 60 of 2017 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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