

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44519 of 2022

Arising Out of PS. Case No.-85 Year-2022 Thana- JAMHOR District- Aurangabad

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Anju Kumari D/o Sri Basudeo Singh, W/o Sri Dipendra Kumar Singh
Resident of Village - and P.O.- Kona, P.S.- Rafiganj, Dsitt.- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Director Vigilance Investigation Bureau, State of Bihar, Patna. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Hemant Kumar Karan, Advocate
For the Vigilance	:	Mr. Arvind Kumar, Spl. P.P.
For the State	:	Mr. Ajay Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-11-2022 Learned counsel for the petitioner is permitted to remove the defects, as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner, learned Special Public Prosecutor for the Vigilance as well as learned APP for the State..

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 120B of the Indian Penal Code.

Petitioner is said to have obtained her appointment on a forged and fabricated BETET certificate.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and she has been falsely



implicated in the present case. He further submits that in fact the petitioner was appointed as Panchayat Shikshak in the year 2014 on the basis of certificate furnished by the Bihar School Examination Board. He further submits that the Vigilance has filed the present case alleging therein that the petitioner and other similarly situated persons have obtained job on the basis of forged and fabricated certificate. Learned counsel for the petitioner submits that she had submitted the original certificate as issued by the Bihar School Examination Board and the same was submitted at the time of joining. He further submits that after lodging present F.I.R. the petitioner has terminated from service.

Learned Special Public Prosecutor for the Vigilance as well as learned APP for the State on the other hand have vehemently opposed the prayer for bail of the petitioner and submit that the petitioner has obtained the job on the basis of the forged and fabricated certificate and hence she is not entitled to grant the anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of



learned Court below where the case is pending in connection with Jamhore P.S. Case No. 85 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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