

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56700 of 2022

Arising Out of PS. Case No.-75 Year-2022 Thana- MASHRAK District- Saran

Indu Kumari W/O Arvind Bhagat, Daughter of Dashrat Bhagat, R/V- Bangra,
P.S.- Mashrakh, Distt- Saran.

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate

For the Opposite Party/s : Mr. Arvind Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-12-2022 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of Vigilance Department and
learned Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

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

According to prosecution case, a vigilance inquiry
case No. 8/2015 was registered and one Arun Paswan, Dy. S.P.
of Vigilance Investigation Bureau was appointed as Inquiry
Officer for making inquiry and verification of educational and
training document of the petitioner who was appointed as



Panchayat Teacher in 2013 at Primary School Karan Kudariya Dih Tola, Dashrakh. It was further alleged that the marks sheet of the petitioner of Intermediate was sent to the Bihar School Examination Board, Patna for verification in which it was found forged as all details furnished in the mark sheet were mismatched (fake) on the basis of the allegation the Mashrakh P.S. Case no. 75/2022 has been instituted against the petitioner.

Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case. He further submits that pursuant to order passed in C.W.J.C No. 15459 of 2014, the present F.I.R. is instituted against the petitioner and similarly situated persons. He further submits that in fact the petitioner has submitted all the genuine certificate which was issued by the competent Board. She has not submitted any false and fabricated marks-sheet or certificate for obtaining the post of primary teacher. He further submits that it has come during investigation that petitioner has submitted false and forged certificate for obtaining the job in question. He further submits that after institution of the present F.I.R., the petitioner has been removed from service.

The learned counsel for the Vigilance on the other



hand has vehemently opposed the prayer for anticipatory bail for the petitioner on the ground that which has come during the investigation that the petitioner has submitted false and fabricated certificate for obtaining the job in question.

The learned counsel for the Vigilance Department and learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Mashrakh P.S. Case No. 75 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. If the petitioner tampers with the evidence or the witnesses, 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 his 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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