

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56105 of 2022

Arising Out of PS. Case No.-29 Year-2022 Thana- PUWAKHALI District- Kishanganj

KAKALI BASAK @ KAKOLI BASAK WIFE OF RANVIR BASAK R/O
VILLAGE- KHARUDAH, P.S.- POWAKHALI, DISTT.- KISHANGANJ

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE ADDITIONAL DIRECTOR GENERAL VIGILANCE, PATNA
BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mithilesh Kumar Upadhyay, Advocate
For the Opposite Party/s	:	Mr. Ajay Mishra, APP
For the Vigilance	:	Mr. Arvind Kumar, Spl. PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned Special P.P. for the Vigilance

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

Learned counsel for the petitioner submits that the petitioner is a woman having clean antecedent and the informant alleges that petitioner based on forged and fabricated experience certificate secured appointment as Panchayat Teacher.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that Vigilance is taking a plea that in view of the



order passed by this Court, inquiry is being made based on which FIRs are being instituted and investigation is pending. It is next submitted that since the dispute primarily relates to service dispute i.e., appointment is alleged to have been sought on forged and fabricated certificate then definitely the Authority ought to have issued a show-cause and given an opportunity to the petitioner to put her side of the case also. The learned counsel next submits that based on *ex-parte* inquiry, persons like petitioner are being falsely implicated in the name of order passed by this Court and from perusal of the said order, it does not manifest that it prohibited the authorities from issuing show-cause and seeking explanation before instituting an FIR.

Learned Spl. P.P. for the Vigilance opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner and the fact that the petitioner is a woman, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in



connection with Powakhali P.S. Case No. 29 of 2022 subject to
the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/Rishabh/-

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