

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8867 of 2023

Arising Out of PS. Case No.-136 Year-2022 Thana- TIKAPATTI District- Purnia

MEENU KUMARI @ MINU KUMARI D/o Narayan Chandra Nayak, W/o
Pramath Chandra Roy R/o Village- Tikapatti Ward no . 14, P.O.- Tikapatti,
Via Ayodhyaganj Bazar, P.S.- Tikapatti, Distt- Purnea.

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jibendra Mishra,Adv.
For the State	:	Mr.Nirmal Kumar Sinha,APP
For the Vigilance	:	Mr.Anil Singh, Law Officer

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-05-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner apprehends her arrest in connection with Tikapatti P.S. Case No.136 of 2022 (G.R. No5579 of 2022), registered for the offences punishable under Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

The allegation is regarding the petitioner having submitted the B.T.E.T. certificate issued by the Bihar School Examination Board, Patna while seeking appointment in the year, 2014 on the post of Panchayat Teacher, whereupon she was also



appointed as Panchayat Teacher, however subsequently, upon verification it transpired that the name of the father of the petitioner has been recorded as Fani Bhushan Choudhary in place of Narayan Chandra Nayak in the data base of the Bihar School Examination Board, Patna, hence the marks sheet of B.T.E.T. of the petitioner was returned by the Bihar School Examination Board, Patna to the Vigilance Department by stamping it as fake.

The learned counsel for the petitioner has submitted that the petitioner is innocent, she has been falsely implicated in the present case and she is having a clean antecedent. The learned counsel for the petitioner has further submitted that under the pressure of the departmental authorities, she has submitted a resignation letter, but she has not been terminated till date. It is further submitted that the correct name of the father of the petitioner is Narayan Chandra Nayak and that is the one which has been recorded in the certificate/ marks sheet of B.T.E.T. issued to the petitioner,



hence the petitioner cannot be held responsible in case the data base of the Bihar School Examination Board, Patna is defective.

Per contra, the learned A.P.P. for the State and the learned counsel appearing for the vigilance have vehemently opposed the prayer for grant of anticipatory bail and have submitted that in case the petitioner has submitted her resignation, it should be acted upon.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the certificate/ marks sheet of B.T.E.T. issued to the petitioner contains the correct father's name of the petitioner, however the name of the father of petitioner mentioned in the data base of the Bihar School Examination Board, Patna has been found to be otherwise, I deem it fit and proper to grant benefit of doubt to the petitioner for the purposes of grant of anticipatory bail, hence the



petitioner is directed to be admitted to the privilege of anticipatory bail, however liberty is granted to the learned counsels appearing for the Vigilance Investigation Bureau and the learned A.P.P. appearing for the State to persuade the concerned Department to accept the resignation of the petitioner.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of her arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M.I/C, Purnea in connection with Tikapatti P.S. Case No.136 of 2022 (G.R. No.136 of 2022), subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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