

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25448 of 2023

Arising Out of PS. Case No.-362 Year-2022 Thana- MIRGANJ District- Gopalganj

ANITA KUMARI D/O NAND PRASAD YADAV RESIDENT OF VILLAGE
- GANESH DUMAR, P.S. - FULWARIYA, DISTT. - GOPALGANJ

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Vigilance Department through S.P. Vigilance, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Arvind Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-07-2023

1. Heard the parties.

2. The petitioner apprehends her arrest in connection with Mirganj PS Case No. 362 of 2022 dated- 12.10.2022 registered under Section 420, 467, 468, 471, 120(B) of the IPC.

3. As per the allegation the petitioner obtained appointment as Panchayat Teacher on the basis of forged educational certificate.

4. Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and at the time of her appointment she had produced educational certificate issued by the Bihar School Examination Board and allegation of mismatch in the certificate of BSEB is not correct.



She submits that the petitioner was not given opportunity to take her defence on the point of falsity of the certificate. The petitioner has already been terminated from service on this ground by letter dated: 24-02-2023 bearing no. 49 issued by the Panchayat Secretary-cum-Member Secretary Panchayat Employment Unit (Annexure – 2).

5. On the other hand, learned counsel for the Vigilance Bureau submits that pursuant to the direction issued by a Co-ordinate Bench of this Court the certificates of all the appointees of Panchayat Teacher were verified by the Vigilance Department and the certificate produced by the petitioner was found to be fake.

6. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner is a lady, the allegation against her is based upon document for which custodial interrogation of the petitioner may not be necessary and the petitioner has been removed from service, as such, I am inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with



two sureties of the like amount each to the satisfaction of learned A.C.J.M. XV, Gopalganj in connection with Mirganj PS Case No. 362 of 2022 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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