

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58682 of 2017

Arising Out of PS. Case No.-58 Year-2012 Thana- SAKURABAD District- Jehanabad

Indu Kumari @ Indu Devi, Daughter of Umesh Kumar Gupta, Resident of
Village- Jatanbigha, P.s.District- Arwal.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-12-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The learned counsel for the petitioner submits
that he has been falsely implicated in the present case with
an allegation that his experience certificate was found forged
and fabricated. It is further submitted that the petitioner
completed his matriculation in the Year 2002 and based on
which, he had applied for appointment as Panchayat Teacher
and he got 66 marks. It is next submitted that for
experience certificate, 20 marks was to be allotted, but then,
from perusal of the merit-list, it would manifest that
petitioner only got 66 marks based on his matriculation



certificate and experience certificate was not taken into consideration. It is further submitted that during the course of inquiry, it was found that the experience certificate submitted by the petitioner was forged and fabricated. It is next submitted that the experience certificate, which was found forged and fabricated was not filed by the petitioner. It is next submitted that petitioner passed his matriculation examination in the Year 2002 and the experience certificate which is said to be forged and fabricated is of the Year 1998-1999, when petitioner was in 7th or 8th Standard. It is thus submitted that why the petitioner would have submitted the aforesaid experience certificate when he was not even eligible for pursuing a course relating to experience. It is also submitted that when petitioner was appointed as Panchayat Teacher based on his matriculation certificate and his experience certificate was not taken into consideration while considering his candidature, no useful purpose would be served by allowing the criminal prosecution to continue.

3.The learned Additional P. P. rebuts the submission of the learned counsel for the petitioner and



submits that what benefit other would have derived by getting the candidature of the petitioner cancelled by submitting forged experience certificate on his behalf, but then, the learned Additional P. P. fairly submits that for the present, it is the defence of the petitioner, which is being argued, which cannot be looked at this stage in the quashing application. It is also submitted that truth will surface in the trial.

4. The learned counsel for the petitioner, at this stage, seeks permission to withdraw the present quashing application with a liberty to the petitioner to raise all the issues at an appropriate stage in the trial.

5. Permission is accorded.

6. Accordingly, instant petition is dismissed as withdrawn with the liberty aforesaid.

(Satyavrat Verma, J)

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