

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31442 of 2023

Arising Out of PS. Case No.-210 Year-2022 Thana- DANIYAWAN District- Patna

Munmun Bharti @ Radha Devi Wife of Lakhan Prasad @ Krishna Prasad
Resident of village - Kewai, P.O. - Jaitpur, P.S. - Chandi, Distt. - Nalanda, at
present Munmun Bharti, Panchayat Teacher, Primary School, Sikanderpur,
Mushari, P.S-Khushrupur, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate.

For the Opposite Party/s : Mr. Ajay Mishra, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-06-2023 Heard Mr. Anil Chandra, learned counsel for the
petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Daniyawar P.S. Case No. 210 of 2022,
registered for the offences punishable under Sections 420, 467,
468, 471 of the Indian Penal Code.

It is alleged that the petitioner secured her
appointment on the post of Panchayat teacher, Primary School,
Sikanderpur, Mushari Khushrupur, by means of forged and
fabricated certificate. On the direction of District Education
Officer, Patna, an inquiry has been conducted and the allegation
of obtaining appointment on the basis of forged and fabricated
testimonials have been found true, resulting into lodging of the
FIR.



Learned counsel appearing on behalf of the petitioner submits that the petitioner was appointed as a Panchayat teacher at Primary School, Sikanderpur, Mushari Khushrupur, way back on 10.07.2013 after due verification of the certificate and in fact, she herself is a victim of circumstances. He next submits that considering the fact that in course of inquiry her certificates have been found forged and fabricated, she has been terminated from her services and she has already been punished appropriately. The petitioner is a lady, having fair antecedent, is in custody since 07.02.2023 and as such keeping her behind the bar would serve no further purpose, as the investigation of the crime has already been completed.

On the other hand learned APP for the State vehemently opposes the bail application and submits that the complicity of the petitioner cannot be denied as her certificate has been found forged and fabricated..

Regard being had to the submissions made on behalf of the parties and considering the fact that the services of the petitioner as Panchayat teacher has already been dispensed with by the competent Authority and the investigation of the crime is complete, coupled with the fact that the petitioner is a lady, let the petitioner, named above, be released on bail on furnishing



bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-I, Patna City, District Patna in connection with Daniyawan P.S. Case No. 210 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) She will remain present on each and every date of trial till disposal of the case.

(iii) She will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, her bail bonds will liable to be cancelled.

(Harish Kumar, J)

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