

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36658 of 2023

Arising Out of PS. Case No.-1017 Year-2022 Thana- KHAGARIA District- Khagaria

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Sarita Kumari D/o Sukhdev Das and W/o Shankar Das Resident of village-
Rahimpur Charkhutti, Ward No.-14, P.S.-Muffasil, District-Khagaria

... .. Petitioner/s

Versus

The Director through Vigilance Department, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Arvind Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 31-07-2023 Heard Ld. counsel for the petitioner and the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Khagaria Muffsil P.S. Case No. 1017 of 2022, registered for the offence/s punishable under Sections 420, 467, 468, 471, 120B of the Indian Penal Code.

3. As per allegation, the petitioner has got appointment for the post of teacher on basis of her false matriculation certificate.

4. Ld. counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that the document, which was submitted before the concerned authority at the time of appointment, has not been examined by the Board because different document has been sent by the Government and hence as per the report of Bihar School Examination Board, the same did not match. He further submits that she has also been terminated and she is a lady. He further submits that co-accused persons, namely, Anjani Kumari and Renu Singh have been enlarged on bail by different co-ordinate Benches of this Court vide order dated 15.11.2021 and 14.03.2023, passed in Cr. Misc. No. 3333 of 2021 and Cr. Misc. No. 71492 of 2022, respectively.

5. It is also stated in paragraph no. 2 of the petition that petitioner has not moved this Court earlier for grant of anticipatory bail in this case.

6. It has further been stated that the petitioner has no criminal antecedents.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.



8. Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Khagaria, in connection with Khagaria Muffsil P.S. Case No. 1017 of 2022, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the



petitioner.

9. The application stands allowed accordingly.

10. Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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