

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47845 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Ranjana Kumari Wife Of Sri Sumant Kumar Resident Of Village- Ward No.
6, PS - Pabra Ghat, Po- Pabra And Distt- Begusarai , Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Prabhat Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Gyan Shankar, Advocate
For the State	:	Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Cheriya Bariyarpur P.S. Case No.11 of 2023 registered for the offences punishable under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code. She has got no criminal antecedent.

3. As per the prosecution story, the informant (Deputy Superintendent of Police, Vigilance Investigation Bureau, Patna) was deputed for inquiry of educational certificates of employed teachers in Begusarai District. The District Programme Officer (Estd.) Begusarai produced a folder and from perusal of the same it was found that the petitioner was appointed as

Panchayat Teacher in the year 2005 in Gram Panchayat Rai Pabra. Her matriculation marksheet and certificates were sent for verification and the District School Examination Board had sent its report affixing seal of fake upon the marksheet and certificate. It is alleged that the date of birth of the petitioner is mentioned as 20.02.1974 in the certificate and in verification it was found to be 20.02.1970.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the date of birth of the petitioner is 20.02.1974 and the BSEB has wrongly mentioned the date of birth of the petitioner as 20.02.1970. The petitioner approached the BSEB for correction of her date of birth but the same was not corrected. This petitioner also approached this Court by filing a writ petition and LPA but both were dismissed.

5. Learned counsel for the Bihar School Examination Board has opposed the prayer for anticipatory bail of the petitioner. It is submitted that the petitioner procured appointment as *Panchayat* Teacher by falsely submitting marksheet containing false date of birth. It is submitted that thought she had filed writ petition and LPA in this Court but she failed in both attempts. The Hon'ble Division of this Court had given an opportunity to the *Panchayat* Teachers who had

obtained appointment on the basis of fake/forged certificate to resign but she did not resign and continued to draw monetary benefits.

6. Having regard to the facts and circumstances of the case wherein this Court has noticed that the petitioner obtained appointment as *Panchayat* Teacher by falsely submitting a marksheet containing a false date of birth and it was purposely done to bring her within the zone of consideration, she was fully aware of her correct date of birth and had lost the writ petition and the LPA in this Court, she did not resign despite opportunity granted by the Hon'ble Division Bench and continued to draw monetary benefits, in the circumstances, considering the seriousness of the allegations and the conduct of the petitioner, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Her prayer for anticipatory bail is refused.

7. In case the petitioner surrenders and prays for regular bail in the learned court below within a period of four weeks from today, the same shall be considered on its own merit without being prejudiced by order of this Court.

8. This application stands dismissed.

(Rajeev Ranjan Prasad, J)

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