

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37446 of 2023

Arising Out of PS. Case No.-269 Year-2022 Thana- KALYANPUR District- East Champaran

Sunita Devi, D/O Rameshwari Sah, R/O Village- Areraj, Ps. Govindganj,
Dist. East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 28-07-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner is apprehending her arrest in
connection with Kalyanpur P.S. Case No. 269 of 2022 registered
for the offence punishable under Sections 420, 467, 468, and
471 of the Indian Penal Code.

3. The petitioner's certificate in respect of CTET
/BTET has been found to be forged and fabricated, while
considering her candidature for appointment as *Panchayat*
Shikchhika.

4. The learned counsel for the petitioner submits that
without giving any opportunity to the petitioner, a decision has
unilaterally been taken by the appointing authority regarding the
certificate being forged and fabricated. She has not been



appointed. All of a sudden, three years after application was made by the petitioner, she has been made accused. The veracity of the allegations regarding the documents being submitted by the petitioner at such a belated stage itself is doubtful. Petitioner is a female and has no criminal antecedent.

5. Learned APP for the State has opposed the prayer for pre-arrest bail.

6. Considering the rival submissions and clean antecedent of the petitioner, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

7. Accordingly, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Motihari, East Champaran, in connection with Kalyanpur P.S. Case No. 269 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with



the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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