

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60411 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- MADHWAPUR District- Madhubani

Beby Kumari D/O Late Satya Narayan Thakur @ Bhawan Thakur, W/O Sri
Shyam Thakur R/O Village- Pihwara, P.S- Saharghat, Distt.- Madhubani.
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vaishnavi Singh, Advocate
For the Opposite Party : Mr. Ajay Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Madhwapur P.S. Case No. 29 of 2023 dated 26.03.2023,
instituted for the offence punishable under Sections 420, 467,
468, 471 and 120(B) of the Indian Penal Code.

3. The case of prosecution, in short, is that *vide* order
passed in CWJC No. 15459 of 2014 by this Hon'ble High Court
in Public Interest Litigation Writ, an inquiry team was
constituted by the Vigilance Bureau, Patna to verify the
documents of the appointed teachers. During the course of
investigation, in Folder No. 7, provided by Nodal Officer-cum-
District Program Officer (Establishment), Madhubani, it was
seen that Beby Kumari(petitioner) was appointed in the year



2010 in Madhwapur Block *vide* letter No. 8 dated 14.08.2010 as Panchayati Teacher. She did not resigned during the amnesty period. When the experience certificate of the petitioner was sent for verification to District Program Office (Primary Education), the investigation report stated that in the Register at serial No. 1, it was showing the name of another person, namely, Ram Babu Prasad and thus, the supplied certificate appeared fake.

4. Learned counsel for the petitioner submits that the petitioner is innocent and she has falsely been implicated in this case. It is submitted that the petitioner has filed an application for receiving her experience certificate entered at Serial No. 554 under the Right To Information Act (R.T.I. Act) and pursuant to this application, the copy of the entry of Register of the relevant serial number i.e. Serial No. 554 was also provided *vide* letter dated 26.05.2020, in which petitioner's name has been appeared at item No. 554 and not at item No. 1. It is further submitted that while sending the experience certificate of the petitioner for verification, Serial No. 1 has been changed to indicate so that a vague report could be produced by the concerned Office and it has been done only to harass the petitioner. It is further stated that the experience certificate of the petitioner is absolutely



genuine and the record of it is present in the concerned office at Serial No. 554, which has also been verified though Right To Information Act. Further, it has been submitted that the large number of similarly situated persons have been granted bail by different co-ordinate Benches of this Court on different dates, which is mentioned in paragraph No. 19 of the bail petition. Lastly, it is submitted that the petitioner has no case against her.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Madhwapur P.S. Case No. 29 of 2023, she shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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