

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58982 of 2023

Arising Out of PS. Case No.-20 Year-2023 Thana- MORO District- Darbhanga

Pinki Kumari, D/O Ram Dinesh Ray, R/O Village- Belsandi, P.S.- Chakmehsi,
Dist. Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Nazimuddin, Inspector Cum- Assistant Enquiry Officer, Darbhanga
Vigilance Investigation Bureau Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kedar Jha, Advocate
For the Opposite Party/s	:	Mr. Ajay Mishra, APP
For the Vigilance	:	Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-10-2023 Heard Mr. Kedar Jha, learned counsel for the

petitioner, Mr. Arvind Kumar, learned counsel for the Vigilance

Investigation Bureau and the learned counsel for the State.

2. The petitioner is apprehending her arrest in
connection with Moro P.S. Case No. 20 of 2023 registered for
the offences punishable under Sections 420, 467, 468, 471,
120B/34 of the Indian Penal Code.

3. Allegedly in deference to the order of this Court
dated 05.12.2016, passed in C.W.J.C. No. 15459 of 2014, the
Vigilance Investigation Bureau, Patna authorized to verify the
educational certificates of the teachers appointed on contractual
basis and in course of verification, the BETET certificate of the



petitioner has been found to be forged and fabricated, which resulted into institution of the present F.I.R.

4. Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner herself is the victim of circumstances, as the Selection Unit in order to get their favourite candidate selected replaced the petitioner's certificate of BETET issued by the Bihar School Examination Board from a forged certificate. He further submits that now the petitioner has already been punished appropriately, as she has been terminated from service and moreover the petitioner bears fair antecedent and she undertakes that she will fully cooperate in the investigation and in the trial. He lastly submits that other co-accused persons, having identical allegation, have been allowed the privilege of bail by the learned coordinate Benches of this Court.

5. On the other hand, learned counsel for the State as well as Vigilance Investigation Bureau vehemently opposed the bail application and submits that the complicity of the petitioner cannot be denied, as she obtained appointment on the basis of forged certificate.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner



is a lady and she is no longer in service, after having the order of termination been passed by the department, coupled with the fair antecedent, let the petitioner, named above, in the event of her arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, 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 Additional Chief Judicial Magistrate-IX, Darbhanga in connection with Moro P.S. Case No. 20 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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