

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60479 of 2023

Arising Out of PS. Case No.-53 Year-2023 Thana- FORBESGANJ District- Araria

Neetu Kumari @ Nitu Kumari Wife Of Sourabh Kumar, Daughter Of Binod Prasad Yadav Resident Of Pothia, Police Station - Forbesganj (Simraha), District - Araria

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 06-12-2023 Heard Mr. Arun Kumar Mandal, learned counsel appearing on behalf of the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends her arrest in connection with Forbesganj P.S. Case No. 53 of 2023, registered for the offences punishable under Sections 419 and 420 of the Indian Penal Code.

3. The allegation against the petitioner is of obtaining her service on the post of Panchayat Teacher, Primary School on the basis of forged B.T.E.T. certificate.

4. Learned counsel appearing on behalf of the petitioner submits that pursuant to the order of the learned Division Bench of this Court, an inquiry has been conducted



and the vigilance department directed all the suspected Panchayat/Prakhand teachers to upload their certificates on the website for verification of the same, however, in the meantime, the employment authority came with order of termination, apart from institution of the FIR. He, thus, submits that without proper investigation this FIR has instituted by the employment authority. That apart, the petitioner was appointed in the year 2011, after proper verification of the certificate and in fact the petitioner is herself victim of the circumstances as the certificate, which was issued by the Bihar School Examination Board has been found to be forged. He next submits that the petitioner is a lady having fair antecedent and she undertakes that she will fully co-operate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the very basis of her appointment is the certificate of B.T.E.T., which is found forged in the inquiry and thus, the complicity of the petitioner cannot be denied.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the service of the petitioner has already been dispensed with and the



investigation at the ends of vigilance department is still going on, coupled with the fair antecedent, let the petitioner above named be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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, Araria in connection with Forbesganj P.S. Case No. 53 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

shivank/-

U		T	
---	--	---	--

