

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59980 of 2023

Arising Out of PS. Case No.-316 Year-2022 Thana- RUPAULI District- Purnia

NISHA KUMARI W/o Mantun Yadav @ Mantun Kumar Yadav Resident of Village, Arajpur, Police Station, Arajpur District Madhepura, as well as D/o Maharana Pratap Yadav R/o Village, Fulout P.S. Chousa District Madhepura
... .. Petitioner/s

Versus

1. The State of Bihar
2. The State Of Bihar Through the Secretary Department of Vigilance in Patna
... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anupa Nand Jha, Advocate
For the State	:	Mr. Akhileshwar Dayal, APP
For the Vigilance	:	Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner, learned counsel for the Vigilance and learned APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Rupouli (Mohanpur O.P.) P.S. Case No.316 of 2022 registered for the offences punishable under Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioner is that she had obtained appointment on the post of Panchayat Teacher on the basis of forged certificates.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the petitioner has not



committed any forgery in the certificates for getting appointment on the post of Panchayat Teacher.

5. Learned A.P.P. for the State and learned counsel for the Vigilance have opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it appears that despite opportunity granted by this Court in the Public Interest Litigation i.e. CWJC No.15459 of 2014, the petitioner did not resign and she continued to draw the monetary benefits as a Panchayat Teacher and it is alleged that she has obtained the said appointment on the basis of forged certificates, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. Prayer 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, her prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

8. This application is dismissed.

(Rajeev Ranjan Prasad, J)

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