

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65895 of 2023

Arising Out of PS. Case No.-153 Year-2023 Thana- BANMANKHI District- Purnia

Kiran Kumari D/o Heera Prasad Yadav, W/o Manoj Kumar R/o vill - Khajuri,
P.S. - Saur Bazar, Distt. - Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Madhu Prasun, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Banmankhi P.S. Case No. 153 of 2023 registered for the offences punishable under Sections 420, 467, 468, 471, 120(B) of the Indian Penal Code. She has got no criminal antecedent.

3. Learned counsel for the petitioner submits that the allegation against the petitioner is that she had obtained appointment on the post of untrained Teacher by submitting fake certificate of B.E.T.E.T.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. She does not admit the allegation that she had got appointed on the basis of fake certificates and claims that her certificates are

genuine.

5. Learned APP for the State submits that the petitioner was appointed as an untrained Teacher. She produced marksheet of B.E.T.E.T. which was sent for verification to the Bihar School Examination Board. The Bihar School Examination Board reported that the said certificate was fake.

6. Learned APP for the State further submits that the verification of the educational certificate of the Teachers was undertaken by virtue of a direction of the Hon'ble Division Bench of this Court in CWJC No. 15459 of 2014. It is submitted that the Hon'ble Division Bench of this Court had given opportunity to all such Teachers who had obtained employment on the basis of fake certificate to resign and got cover under the amnesty but the petitioner did not resign and she continued to work and draw salary.

7. Having regard to the facts and circumstances of the case wherein as per the allegation, this petitioner obtained appointment by submitting a fake certificate and she did not avail the opportunity of resigning and getting amnesty by virtue of the order of the Hon'ble Division Bench of this Court and continued to do the job and draw salary not only causing the monetary loss to the State but also in the teeth of the order of the

Hon’ble Division Bench of this Court, this Court is of the considered opinion that the petitioner does not deserve privilege of anticipatory bail.

8. The prayer for anticipatory bail of the petitioner is, thus, refused.

9. In case the petitioner surrenders and prays for regular bail in the court below within six weeks from today, her prayer for regular bail shall be considered on its merit without being prejudice by the order of this Court.

10. This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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