

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75297 of 2023

Arising Out of PS. Case No.-95 Year-2023 Thana- JHANJHARPUR District- Madhubani

Vina Ram W/O Kewal Narayan Ram @ Kevlanarayan Ram Resident Of
Village- Nawani Earlier P.S Ghoghardiha At Present P S Jhanjharpur District
Madhubani.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-11-2023 Heard Mr. Ashhar Mustafa, learned counsel

appearing on behalf of the petitioner and Mr. Ajay Mishra,

learned APP appearing on behalf of the State.

2. The petitioner seeks anticipatory bail in connection
with Jhanjharpur P.S. Case No.95 of 2023 dated 07.06.2023
registered under Sections 420, 467, 468, 471, 120(B) of the
Indian Penal Code.

3. As per the allegation made in the FIR, on the basis
of direction of this Court passed in CWJC No.15459 of 2017 the
State Vigilance Investigation Bureau held investigation with
respect to genuineness of the educational qualification and other
documents of Niyojit teachers and the documents submitted by
the petitioner at the time of her appointment was found to be

forged.

4. Learned counsel appearing on behalf of the petitioner submits that at the time of petitioner's appointment as *Niyojit* teacher upon investigation from the Bihar Sanskrit Shikhsa Board, Patna it was found that the documents submitted by the petitioner were reported to be fake. Learned counsel appearing on behalf of the petitioner submits that petitioner has made specific statement in paragraph no.12 and 13 of the bail application that the petitioner has been terminated/removed from the service, as would appear *vide* letter no.07 dated 11.08.2023 and on this ground the counsel for the petitioner submits that other similarly *Niyojit* teachers, who had got their appointment on the basis of fake certificate, have been released on bail after they have been terminated from the services or after they themselves resigned and their resignation has been accepted. On these grounds, learned counsel submits that the petitioner be granted pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, the submission made in the paragraph no.12 and 13 of the bail application, in which it has been stated that

petitioner has been terminated from the service and evidences have also been adduced in this regard by way of Annexure- P2 to the bail application, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released provisionally on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-I, Jhanjharpur, Madhubani in connection with Jhanjharpur P.S. Case No.95 of 2023 dated 07.06.2023, on such terms and conditions as the court below deems it fit and proper.

(Purnendu Singh, J.)

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